





down, service

besides personal with personally hand for me to take seriously when economy/ethics

12/7/12, 51 left out: RAN 056  
TD 1121  
improvement self-prob

Using & chose to represent myself  
my character / mitigation packet

take reporting (8/2/12) + CD  
State's grant  
Respectful + references

confirmation  
fact mem.  
open effort  
self fulfill  
my profile

current condition of court: make belief / with hunt / Sado-masochism / vengeance  
leading witness against me: enemy creation, dehumanization: effort protection  
lawyer, family or friends, covered plea, erroneous trial: "inpo" innocent "end"  
conditions of confinement: displaced / lost / stolen prison (no way to contact post  
extra statements  
information / rehabilitation  
lack of effective  
rehabilitation

1. Before we begin  
2. statements, prepared reason: under cross examination DK will use a plea that was  
3. The state  
4. consent form  
5. I declare under penalty of perjury that the foregoing is true and  
correct. Executed on  
my moral obligation / responsibility / honor - alternative do  
start

Please view my publications @ YT, Academia.org, FB, datagram, add to  
date: I am an environmental, civil rights, Peace Activist.  
as short as possible ~ 1-3 page + 1 page references  
multimedia / broadcaster  
key info  
5



↳ mental disorders: in the hurt level (post-trauma), more deep state actor (unconscious)

of mo

$\frac{1}{2} \times 1990 = 995$   
 Trading 995  
 you'll

$\frac{1}{x} = 1990$   
 $\frac{1}{x} = 1990$   
 $\frac{1}{x} = 1990$

$\star \frac{1}{1990} = \frac{1}{1990}$

individuals: the average  
 $\bar{x} = \frac{1}{n} \sum_{i=1}^n x_i$   
 illustrating  
 sampling distribution

of me  
creating  
illusions  
shadow  
I want  
be me  
creating individuals

$\sum_{i=1}^n \frac{1}{q_i}$

22 loc

1. Tangential for stretching individuals: the angles  
 between the stretching direction and the  
 direction of the stretching force.

1. Normal distribution  
 2. Lognormal distribution  
 3. Exponential distribution  
 4. Weibull distribution  
 5. Gamma distribution  
 6. Beta distribution  
 7. Poisson distribution  
 8. Binomial distribution  
 9. Geometric distribution  
 10. Hypergeometric distribution  
 11. Multinomial distribution  
 12. Dirichlet distribution  
 13. Bayesian distribution  
 14. Markov chain  
 15. Monte Carlo simulation  
 16. Stochastic process  
 17. Queueing theory  
 18. Simulation  
 19. Regression analysis  
 20. Correlation analysis  
 21. Time series analysis  
 22. Forecasting  
 23. Decision tree  
 24. Bayesian network  
 25. Support vector machine  
 26. Neural network  
 27. Genetic algorithm  
 28. Particle swarm optimization  
 29. Ant colony optimization  
 30. Tabu search  
 31. Simulated annealing  
 32. Genetic programming  
 33. Evolutionary computation  
 34. Artificial neural network  
 35. Deep learning  
 36. Machine learning  
 37. Artificial intelligence  
 38. Expert system  
 39. Fuzzy logic  
 40. Knowledge discovery  
 41. Data mining  
 42. Big data  
 43. Cloud computing  
 44. Internet of things  
 45. Smart grid  
 46. Smart home  
 47. Smart city  
 48. Smart transportation  
 49. Smart energy  
 50. Smart agriculture  
 51. Smart manufacturing  
 52. Smart healthcare  
 53. Smart education  
 54. Smart environment  
 55. Smart infrastructure  
 56. Smart services  
 57. Smart economy  
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d in admin Justice - proper comm. <sup>to</sup> <sup>3</sup> <sup>1</sup> <sup>2</sup> <sup>4</sup> <sup>5</sup> <sup>6</sup> <sup>7</sup> <sup>8</sup> <sup>9</sup> <sup>10</sup> <sup>11</sup> <sup>12</sup> <sup>13</sup> <sup>14</sup> <sup>15</sup> <sup>16</sup> <sup>17</sup> <sup>18</sup> <sup>19</sup> <sup>20</sup> <sup>21</sup> <sup>22</sup> <sup>23</sup> <sup>24</sup> <sup>25</sup> <sup>26</sup> <sup>27</sup> <sup>28</sup> <sup>29</sup> <sup>30</sup> <sup>31</sup> <sup>32</sup> <sup>33</sup> <sup>34</sup> <sup>35</sup> <sup>36</sup> <sup>37</sup> <sup>38</sup> <sup>39</sup> <sup>40</sup> <sup>41</sup> <sup>42</sup> <sup>43</sup> <sup>44</sup> <sup>45</sup> <sup>46</sup> <sup>47</sup> <sup>48</sup> <sup>49</sup> <sup>50</sup> <sup>51</sup> <sup>52</sup> <sup>53</sup> <sup>54</sup> <sup>55</sup> <sup>56</sup> <sup>57</sup> <sup>58</sup> <sup>59</sup> <sup>60</sup> <sup>61</sup> <sup>62</sup> <sup>63</sup> <sup>64</sup> <sup>65</sup> <sup>66</sup> <sup>67</sup> <sup>68</sup> 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organized in admin Justice - proper Comm. Tangedial for participating individuals: for admin

i) Disorganized in admin Justice - Proper Comm.

Tangible for participating individuals

illustrious

debut

renewed

admission

factoring & from all round

is =  $\frac{1}{n} \sum_{i=1}^n x_i$

of commo

[illegible]

State is Disorganized in admin Justice - proper Comm. Largest threat for sp. treating individuals: the army



You DON'T call 911 call DMV (must postage, contacts for Bail)  
 2) Transcripts 2/8 : 10/15 3) Case # 22-5662 (Ally assault) 4) 10/22  
 "OST med record's? eval 5) attorney w/ some values as me

If you have questions, send a kite to Pretrial Services. Do not return this form to Pretrial with your questions or comments. Do not send this form to your attorney.

If you have a potential Alternate Address or 3rd Party Supervisor, ask that person to bring picture ID to Pretrial Services to apply. A release officer will review the application and notify the applicant if they are approved or not approved.

NAME: Barrett Spencer Isopon  
 CASE NUMBER: 196817970  
 ID NUMBER: 3928942  
 HOUSING: Int 1A 10  
 NOTIFICATION DATE: 02/02/23  
 Your pending Lane County Circuit Court case was reviewed by Pretrial Services Staff, and the following release options set:

- ☐ Alternate Address
  - ☐ 3rd Party Supervisor
  - ☐ Electronic Surveillance Program
  - ☒ Alcohol Monitor
  - ☒ Other:
1. Miranda Rights  
 2. Receipt signing  
 3. Speedy trial  
 4. Hypothetical reasoning eval inter  
 5. discussing access to legal materials  
 6. ADA
- US State of Oregon  
 Must post \$75,000  
 104,87,500

ALL CHECKED OPTIONS ARE REQUIRED FOR RELEASE:

PERMISSION TO OPEN JAIL PRISONER FORM - call phone # to obtain prison #15 to [signature]

NOTIFICATION OF RELEASE OPTIONS



The State of Oregon is reason is to do from all relevant to assault charge: manifesting extreme indifference to the value of human life.

comm. service

12/7, 12/5, 12/1: RAN OVER TO HZL

importer support child showing and effectively child sex trafficker

My Needs: (what I will present the Jung) School records

1. Mitigation packet; letters of Rec. & School records
2. Public Speeches: Modern Slavery, Deep State of Inequality
3. Past Eval & Notes - Not Objective or Impartial
4. Conditions of Confinement: Affidavit, Ventilation, Windows, Exercise
5. YouTube & Archive.org profile
6. Initial Incident Report: PP
7. Writ of Habeas corpus ~ 9/8/17
8. " (admin procedures of promulg. & Const. v. go) present confinement
9. Transcript from 8/8/12 relevant to false report
10. Recent Eval
11. Police report & Gazette times defamation
12. Other difficulties (13 letters) needless warrants, 2017 & 2022 coerced plea's

Thesis: Belief in Human Nature, Systematic Distortion, Proceed community - win-lose enemy creation and dehumanization

Reasons for Representing myself

1. numerous unanswered phone calls, question, concern unanswered night to smoking
2. quicker trial - anything to escape unsent conditions of confinement
3. my lawyer has had 6 months and not helped w/ writs or transcripts or phone or paper
- 4.

★ Before We begin... admin procedures: promulgation of rules

OR S 186.335



command actions:  
dear use  
mon transporting  
de (mp3 & fast pedal)  
evadicate the time

methodically researching and analyzing, and concluding,  
I took a new direction - "ULTRA VANITY FAIR" FB  
and no priest is bad press  
also hoping for peer review, full democratic participation

my life's work has shown  
that I manifest extreme  
care & love for the value  
of a person's life

3 month old daughter's wife  
1st part of Public Speech  
from recent Public Speech  
discovery: within 10 min  
not

I - Human life is [value]

1. I was not drunk I was sleep deprived & rushing back  
passing cars to pick up a classmate of myology  
who worked w/ me on a class report

2. My vehicle malfunctioned due to road condition  
and "not enough weight in rear"

3. I ran to assist, saw he was ~~for~~ in shock, no blood  
or anything extreme and was yelled @ by a man  
wearing gloves when I ~~asked~~ asked how to help  
intimidation

4. I did return to my vehicle out of ~~shock~~  
from aggressively yelling  
embarrassment / disbelief / fear - grabbed  
a water bottle filled w/ Tequila & 2 beers,  
drank it after got off road, chased w/ beer and was  
about to drink another before "apprehended" (rudely)  
(I was not remaining away I was walking to a flat  
road below where police used)  
public

5. Alcoholism is not a moral issue but a real health  
concern, disease and mental disorder: Penial response is in-  
effective  
I am not the damage: ~~vehicles~~  
[ACCIDENTS HAPPEN] are: accident  
rate: own child  
solutions: ~~drinking~~  
[Reasons for]

1. Cars in car - actually proof I don't drink & drive  
(those who do chuck out window as is apparent if you  
walk along any highway) Kerstone Light

2. not calling (lost my cell phone in the crash)

3. walking off road - but of spotlight / scene /  
traffic pile-up - extreme social anxiety for news



50 The State of Oregon is responsible for all ★

Traffic related injuries and deaths, for its  
essentially administered mode of transport  
action (meaning no responsible alternatives ~~except~~  
in order to ~~not~~ <sup>on a hazardous transportation</sup> ~~support~~ <sup>to school, work, grocery store</sup> ~~to risk~~ their

life of <sup>on a hazardous transportation</sup> ~~living~~ So long as the State  
continues to deny and its responsibility towards  
the ~~loss~~ <sup>time + health + safety</sup> of its citizens and surrounding environ-

ment it is Manifesting extreme indifference to  
the value of <sup>their</sup> human life.

• So long as the State of Oregon continues to <sup>and others</sup> ~~import~~ <sup>export</sup> ~~exploited~~ <sup>exploited</sup> ~~products~~ <sup>products</sup> through

forced child labor <sup>PROT</sup> ~~infirmary~~ <sup>spans and neglects</sup>

to inform its citizens of their accomplice in Human  
Rights abuses (evading/ignoring U.S. Rights and international

all agreements (universal Declaration of Human Rights)  
- Please visit:

I am the Founder of Oregon culture; community conversation template  
advocating transparency; openness direct representative Democracy

by utilizing the benefits of modern technology; communications are well  
as principles of Peer Review, Scientific Methodology, Public Health

BioRegionalism and Preservation of collaboration of traditional  
and modern cultures."

Content forms: Problem; Government w/ out consent. Modern slavery; mass extinction.

Lack of preparedness/insurance and VIABLE ALTERNATIVES.  
Method, Evidence (Nonprofit Community Service; video reporting w/ prominent

activists;



Trial set for 2/16/23...  
541-338-9111 - Arnold Law

Mark 5:20-21  
I do not know  
To consider 1: claim of fog line crossing & close to passengers  
2: Rainer to park, 1 left, 3: tried to get untangle "4"

"I'd like to begin w/ - OBSERVE

1. "Before we begin..." Admin. Proc. Panel. o Rules, Dec 188, 335

2. "Prepared statements / evidence for Jerry to consider

-Innocentary (no alternative modes by transportation  
available - the state of Oregon is responsible for  
all traffic related deaths, accidents & greenhouse gases  
etc.)

Unnecessary Link  
refer to: Green  
city

Recent trend: "always use?" "cause": unlikely... 9/30 (2 months of  
incarceration, more likely? Conditions of confinement and there are no

many Transcription errors - its apparent the evaluative didn't really  
come what I had to say or have the ability to focus and relate -  
But it is important for and relevant for the group to have  
knowledge (both voluntary and explicit content) of "why" system-  
atic distortion of information "malignant" "enemy creation & delin-  
quency" "Belief in Human Nature" "footprint" "delinquent"  
"incarceration rate" "public health"

Need:

Tacoma & Lewis County!

Mitigation Pocket (would have), court transcripts (8/8/22 & 10/5/22)  
Dictation



~~without~~ "conscious"  
 requisite mental state

~~Questions for witness~~

Question for Jurors

Have you ever been in a car accident?

Question for Witness

Do you remember what

I asked you when I approached is everyone okay, can I help

Do you remember how extreme your response was?

Do you really think I was humiliated or any

Did you know I was a

long distance runner and you would not have caught me if I did decide to run

Seems like you had everything planned out, you, your wife, people

for someone to flee; Has this

happened to you before?

Do you have PTSD, flashbacks from service that might affect

is no proof or  
if there ~~was~~ no attempt to notify of a "substantial and unjustifiable risk" than there is no proof one "consciously disregarded" as is the definition for reckless in assault 3



## Consciously disregard

- a contradiction - one does not knowingly engage in a risk if they truly believe/know
- a misunderstanding / deficient belief in human nature / The mind / consciousness
- The standard of care that a reasonable person would observe

Reasonable person(s) <sup>would</sup> do not consciously / KNOWLEDGE engage in the act of driving a vehicle if [proper forms are promulgated] giving each person the ability to volute - deliberately and explicitly give their informed consent - ~~otherwise~~ <sup>one or</sup> and still, there is no standard for a "reasonable person" as one's own ability to reason is a product of the unique and diverse nature and natures: genetics and environments; cultures; conditions which

## \* OPENING STATEMENT leads to Admin Procedure

Promulgation of rules  
The evidence will show

"aware of and consciously disregard" <sup>is one of and</sup> <sup>is only possible if there is proof the information and is only possible if there is proof the information and is only possible if there is proof the information and</sup>

Evidence will show: 1. The state and associated agencies did not follow administrative procedures; promulgation of rules (ORS 188.335) 2. That the defendant did not commit the alleged crimes and 3. The state is responsible for all traffic related accidents, injuries & deaths for inadequately administering a vehicle safety program (meaning no reasonable alternative <sup>as provided by statute</sup> in modern civilization; one must make their own life in a modern world in order to go to work, school or the grocery store) as a deadly weapon regardless of whether or not the driver intended it as such. And it is my moral duty to give the state the benefit of doubt (although I'm shaking myself).



P1 - (1) a person commits assault in the 3rd degree if the person:

(a) Recklessly causes serious physical injury to another by means of a deadly or dangerous weapon;

- P1 - O.C.S. 161.085(1) provided:

'recklessly' means that a person is aware of and consciously disregard a substantial and unjustifiable risk that the result will occur or that the circumstance exists. The risk constitutes a gross deviation from the standard of care that a reasonable person would observe in the situation



Key: tie yellow flag - Negative Treatment  
Proposed legislation

West's Oregon Revised Statutes Annotated  
Title 16, Crimes and Punishments  
Chapter 163, Offenses Against Persons (Revis & Amos)  
Assault and Related Offenses (Revis & Amos)

OR.S. § 163.165

163.165. Assault in the third degree

Effective: January 1, 2022  
Currentness

(1) A person commits the crime of assault in the third degree if the person:

OR.S. 163.085 (a)  
(a) Recklessly causes serious physical injury to another by means of a deadly or dangerous weapon;

(b) Recklessly causes serious physical injury to another under circumstances manifesting extreme indifference to the value of human life;

(c) Recklessly causes physical injury to another by means of a deadly or dangerous weapon under circumstances manifesting extreme indifference to the value of human life;

(d) Intentionally, knowingly or recklessly causes, by means other than a motor vehicle, physical injury to the operator of a public transit vehicle while the operator is in control of or operating the vehicle. As used in this paragraph, "public transit vehicle" has the meaning given that term in ORS 166.116;

(e) While being aided by another person actually present, intentionally or knowingly causes physical injury to another;

(f) While committed to a youth correction facility, intentionally or knowingly causes physical injury to another knowing the other person is a staff member while the other person is acting in the course of official duty;

(g) Intentionally, knowingly or recklessly causes physical injury to an emergency medical services provider, as defined in ORS 682.024, while the emergency medical services provider is performing official duties;

(h) Being at least 18 years of age, intentionally or knowingly causes physical injury to a child 10 years of age or younger;

(i) Intentionally, knowingly or recklessly causes, by means other than a motor vehicle, physical injury to the operator of a taxi while the operator is in control of the taxi; or

\* local rules  
\* uniform

Ch. 163.165

June

Instructions



272 Or.App. 721  
Court of Appeals of Oregon.

STATE of Oregon, Plaintiff-Respondent,

v.

Shaine Anthony BLAN, Defendant-Appellant.

11P3456; A153637.

Submitted Oct. 28, 2014.

Decided Aug. 12, 2015.

#### Synopsis

**Background:** Defendant was convicted in the Circuit Court, Polk County, Monte S. Campbell, J., of third-degree assault, and he appealed.

**Holding:** The Court of Appeals, Ortega, P.J., held that evidence was sufficient to support defendant's conviction for third-degree assault.

Affirmed.

West Headnotes (3)

[1] **Automobiles** — Assault and battery

**Automobiles** — Assault and battery

Evidence was sufficient to support defendant's conviction for third-degree assault; defendant caused the victim to abandon his motorcycle in an attempt to avoid colliding with defendant's recklessly operated car, which in turn caused victim's injuries, and direct physical contact between defendant's recklessly operated car and the victim was not required to satisfy the "by means of" prong of third-degree assault. West's Or.Rev. Stat. Ann. § 163.165.

[2] **Automobiles** — Assault and battery

Recklessly driven car can be a "dangerous weapon" when it is used in a manner capable of causing death or serious physical injury for purposes of statute providing that person commits the crime of assault in the third degree if the person recklessly causes serious physical injury to another by means of a deadly or dangerous weapon. West's Or.Rev. Stat. Ann. § 163.165.

1 Case that cites this headnote

[3] **Automobiles** — Assault and battery

Direct physical contact between a defendant's recklessly operated car and the victim is not required to satisfy the "by means of" prong of third-degree assault under statute, providing that person commits the crime of assault in the third degree if the person recklessly causes serious physical injury to another by means of a deadly or dangerous weapon. West's Or.Rev. Stat. Ann. § 163.165.

1 Case that cites this headnote

#### Attorneys and Law Firms

**\*\*316** Peter Gartlan, Chief Defender, and Neil F. Byl, Deputy Public Defender, Office of Public Defense Services, filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Anna M. Joyce, Solicitor General, and Andrew M. Lavin, Senior Assistant Attorney General, filed the brief for respondent.

Before ORTEGA, Presiding Judge, and DeVORE, Judge, and GARRETT, Judge.

#### Opinion

ORTEGA, P.J.

**\*722** Defendant appeals a judgment of conviction for one count of third-degree assault, ORS 163.165, assigning error to the denial of his motion for judgment of acquittal. He specifically argues that ORS 163.165 requires evidence that he used a weapon which made direct physical contact with the victim and that the state failed to proffer such evidence.

298 Or. 270  
Supreme Court of Oregon,  
En Banc.

STATE of Oregon, Respondent on Review,

v.

Carl Otto HILL, Petitioner on Review.

TC 82-973; CA A28735; SC S30515.

Argued and Submitted June 5, 1984.

Decided Dec. 4, 1984.

Synopsis

Defendant, whose automobile had gone off the road while driving and injured both himself and his passenger, was convicted in the Circuit Court, Clackamas County, Dale Jacobs, J., for assault in the third degree, and the defendant appealed. The Court of Appeals, 67 Or.App. 7, 675 P.2d 1134, upheld the defendant's conviction, and the defendant petitioned for review. The Supreme Court, Roberts, J., held that: (1) if injuries result from the reckless operation of a vehicle, and if the use of the vehicle is such as to render it capable of causing serious injury, then the injuries are caused by means of a dangerous weapon for purposes of determining whether an assault has occurred; (2) fact that the victim was a passenger in the defendant's automobile made no difference in determining whether the automobile became a dangerous weapon as it was used; and (3) the trial court's instruction required reversal of the defendant's conviction because it might have led the jury to convict the defendant upon a finding of lesser culpability than required by statute.

Reversed and remanded.

West Headnotes (13)

[1] Assault and Battery — Deadly weapons or instrumentalities in general

Mental state and use of weapon are separate components of assault statute; whether object is dangerous or deadly weapon requires analysis separate from mental state. ORS 163.165(1)(a).

[2] Assault and Battery — Deadly weapons or instrumentalities in general

For purposes of differentiating between degrees of assault, dangerous weapon is defined in criminal code not in terms of its attributes but in terms of its use; object designed for another purpose may become weapon if used in manner rendering it capable of causing death or serious physical injury; circumstances of its use, rather than design features, convert object into dangerous weapon. (ORS 161.015(1, 2), 163.165(1)(a)).

5 Cases that cite this headnote

[3] Assault and Battery — Deadly weapons or instrumentalities in general

In prosecution for assault, when use of deadly weapon is charged, there is no need to consider circumstances in which weapon was used if defendant, with requisite mental state, caused serious physical injury or death by means of weapon; however, proof of charge of use of dangerous weapon requires examination of circumstances in which instrument, article or substance is used. ORS 161.015(1, 2), 163.165(1)(a).

1 Case that cites this headnote

[4] Assault and Battery — Deadly weapons or instrumentalities in general

The more readily capable an object is by virtue of its inherent characteristics of causing serious injury, the broader the "circumstances" become under which misuse of the object renders it capable of causing serious physical injury or death so that instrument will be included within definition of "dangerous weapon" for purposes of criminal code; conversely, objects inherently less likely to cause serious injury can be rendered capable of doing so only in limited and unique circumstances. ORS 161.015(1, 2).

5 Cases that cite this headnote

[5] Automobiles — Assault and battery

object is a deadly weapon for purposes of assault = intentional



Automobile need not be used intentionally as weapon before it can be dangerous weapon as defined by criminal code for purposes of assault statute. ORS 161.015(1, 2), 163.165(1)(a).

*How are recklessness and assault?*

[6] **Automobiles** ➡ Assault and battery

If injuries result from reckless operation of vehicle, and if use of vehicle is such as to render it capable of causing serious injury, then injuries are caused "by means of" dangerous weapon for purposes of determining whether assault has occurred. ORS 163.165(1)(a).

4 Cases that cite this headnote

[7] **Automobiles** ➡ Assault and battery

Fact that victim was passenger in defendant's automobile made no difference in determining whether automobile as it was used was dangerous weapon for purpose of determining whether assault occurred. ORS 163.165(1)(a).

[8] **Automobiles** ➡ Care required and liability in general

Prior to criminal code revision of 1971, gross negligence and recklessness comprised same mental state for purposes of automobile guest statute, as well as for criminal liability.

3 Cases that cite this headnote

[9] **Automobiles** ➡ Assault and battery

Prior to criminal code revision of 1971, gross negligence could be made out by proof of driving while intoxicated and one or more negligent acts.

1 Case that cites this headnote

[10] **Criminal Law** ➡ Negligence; recklessness

Act is "criminally negligent" when actor should be, but is not, aware of risk; act is "reckless" when actor is aware of risk and consciously disregards it.

3 Cases that cite this headnote

[11] **Criminal Law** ➡ Negligence; recklessness

Difference between criminal negligence on one hand and recklessness or recklessness under circumstances manifesting extreme indifference to value of human life on the other is defendant's subjective awareness of risks to which he exposes others.

5 Cases that cite this headnote

[12] **Assault and Battery** ➡ Wantonness, recklessness, or negligence

Assault in the third degree requires higher mental state of recklessness than gross or criminal negligence. ORS 161.085(9), 163.165(1)(a).

5 Cases that cite this headnote

[13] **Automobiles** ➡ Assault and battery

Trial court's instruction that proof of driving while under the influence of intoxicating liquor together with proof of any other act of negligence could constitute recklessness required reversal of defendant's conviction of assault in the third degree since that instruction may have led jury to convict defendant upon finding of lesser culpability than is required by statute. ORS 161.085(9), 163.165(1)(a).

4 Cases that cite this headnote

**Attorneys and Law Firms**

**\*102 \*271A** John Dittman, Certified Law Student, and Michael J. Rosenbaum, Portland, argued the cause for petitioner on review. Michael J. Rosenbaum, Portland, filed the petition and brief for petitioner on review.

Thomas H. Denney, Asst. Atty. Gen., Salem, argued the cause for respondent on review. With him on the brief were Dave Frohmayser, Atty. Gen., and James E. Mountain, Jr., Sol. Gen.

**Opinion**

**\*272** ROBERTS, Justice.

Defendant was convicted of assault in the third degree, driving while under the influence of intoxicants and carrying a concealed weapon. The Court of Appeals, 67 Or.App. 7, 675 P.2d 1134, affirmed. We allowed review to consider an issue related only to the assault in the third degree conviction. That issue is whether, under ORS 163.165(1)(a) requiring the use of a deadly or dangerous weapon for the commission of an assault in the third degree, an automobile can be a dangerous weapon.

The only facts pertinent to the determination of the question are as follows. While intoxicated and operating his automobile at an excessive rate of speed, defendant went off the road and injured both himself and his passenger. The charge of assault in the third degree resulted from the injury to the passenger. There is no dispute that the passenger sustained serious physical injury. Defendant claims that the legislature could not have intended that a driver of an automobile can be guilty of using the automobile as a dangerous weapon to assault his own passenger.<sup>1</sup>

ORS 163.165(1)(a) provides:

"(1) A person commits the crime of assault in the third degree if he:

"(a) Recklessly causes serious physical injury to another by means of a deadly or dangerous weapon."

ORS 161.085(9) provides:

"(9) 'Recklessly,' when used with respect to a result or to a circumstance described by a statute defining an offense, means that a person is aware of and consciously disregards a substantial and unjustifiable risk that the result will occur or that the circumstance exists. The risk must be of such nature and degree that disregard thereof constitutes a gross deviation from the standard of care that a reasonable person would observe in the situation."

[1] The mental state and the use of a weapon are separate components of the assault statute. The different mental states with which one causes serious physical injury are set out \*273 in the various degrees of the crime of assault. Whether an object is a dangerous or deadly weapon requires an analysis separate from the mental state.

The present statutes set forth four degrees of assault. Assault in the fourth degree is a Class A misdemeanor. The remaining three degrees of assault are felonies of escalating severity. The

use of a weapon is one element that enhances the seriousness of the crime. Weapons are defined in the criminal code at ORS 161.015(1) and (2) as follows:

"(1) 'Dangerous weapon' means any instrument, article or substance which under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or serious physical injury.

"(2) 'Deadly weapon' means any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury."

[2] The capability of causing death or serious physical injury is the feature common to both definitions. With a deadly weapon this capability is designed into the "instrument, article or substance." A dangerous weapon, on the other hand, is defined not in terms of its attributes but in terms of its use. An object designed for another purpose may become a weapon if used in a manner rendering it capable of causing death or serious physical injury. The circumstances of its use, rather than \*\*103 design features, convert an object into a dangerous weapon.

[3] When use of a deadly weapon is charged, there is no need to consider the circumstances in which the weapon was used if the defendant, with requisite mental state, caused serious physical injury or death by means of the weapon. However, proof of a charge of use of a dangerous weapon requires an examination of the "circumstances in which the [instrument, article or substance] is used."

[4] Some objects, by virtue of inherent characteristics and regardless of how they are used, are more readily capable of causing serious injury if misused. Many other objects are unlikely to cause serious harm even if misused. The more readily capable an object is by virtue of inherent characteristics of causing serious injury, the broader the "circumstances" become under which misuse of the object renders it \*274 capable of causing serious physical injury or death. Conversely, objects inherently less likely to cause serious injury can be rendered capable of doing so only in limited and unique circumstances. We do not examine here hypothetical situations involving various "instruments" and varied circumstances to determine when any instrument is so used as to become a dangerous weapon. We are presented with a particular question involving automobiles which was specifically considered by the legislature in the enactment of the assault statutes. We address that question.



The defendant does not dispute that under certain circumstances an automobile could meet the statutory definition of "dangerous weapon." The questions defendant presents are as follows: Can an automobile operated "recklessly" be "an instrument \*\*\* which under the circumstances in which it is used \*\*\* is readily capable of causing death or serious physical injury"? And secondly, can a passenger in a vehicle be assaulted *by means of* that vehicle?

[5] Defendant argues that the language "under the circumstances in which it was used" indicates the legislature's intent that an "instrument" such as an automobile may be a dangerous weapon only when it is used intentionally to inflict serious injury or death. The state takes the position that an "instrument" need not be used intentionally as a weapon before it can be a dangerous weapon. We agree with the state as to automobiles.

As originally enacted in 1971, the crime of assault had three degrees. The severity of sanction varied in accordance with the seriousness of injury; the defendant's state of mind and use of a deadly or dangerous weapon.

The proposed language of section 1, containing the least serious level of assault, provided:

"(1) A person commits the crime of assault in the third degree if he:

\*\*\*\*\*

"(b) negligently causes physical injury to another by means of a deadly or dangerous weapon."

The state correctly points out that the subcommittee discussion of this section of the Proposed Criminal Code led to \*275 the deletion of "dangerous weapon" from section 1 primarily because of concern by members of the committee with imposing criminal penalties on merely negligent infliction of injuries by means of automobiles.<sup>1</sup>

\*276 \*\*104 When the full commission considered Preliminary Draft No. 2 on March 20, 1969, the question was raised again because the "dangerous weapon" language was still present in section 2 (identified then as assault in the second degree).<sup>2</sup>

The proposed language of section 2 provided:

"(1) A person commits the crime of assault in the second degree if he:

\*\*\*\*\*

"(c) recklessly causes serious physical injury to another by means of a deadly or dangerous weapon."

After extensive discussion the committee voted to retain the reference to dangerous weapons. The commission discussed vehicles as dangerous weapons and decided that negligent use of a vehicle does not render it a dangerous weapon, but reckless, intentional or knowing use of a vehicle to cause injury could bring a vehicle within the meaning of "dangerous weapon."<sup>3</sup>

\*277 \*\*105 In sum, the legislative history indicates that reckless use of an automobile could constitute "circumstances \*\*\* in which [the vehicle] is readily capable of causing death or serious physical injury" and thus, could render a vehicle a dangerous weapon. The question remains whether a jury could reasonably find that an automobile as involved in this factual situation was a dangerous weapon. *State v. Anderson*, 242 Or. 585, 411 P.2d 259 (1966).

[6] [7] Defendant contends that his passenger was not injured *by means of* a dangerous weapon. Defendant would distinguish the case of a pedestrian who is run down by a car.

\*278 where, according to defendant, the car is being used as a weapon, from that of a passenger who is injured while riding in a car. Defendant asserts that one does not "use a car as a weapon against his own passenger." Defendant's apparent distinction is that a weapon is something that must be directed at a victim to cause injury. We see no reason to exclude from the dangerous weapon definition a vehicle in which the passengers are injured. If injuries result from the reckless operation of the vehicle, and if the use of the vehicle is such as to render it capable of causing serious injury, then the injuries are caused "by means of" a dangerous weapon. We discern no intent on the part of the legislature to differentiate among victims. The fact that the victim in this case was the passenger in defendant's car makes no difference in determining whether the car became a dangerous weapon as it was used.

Defendant's second assignment of error questions whether the jury was properly instructed. To find one guilty of assault in the third degree the statute requires that the defendant "recklessly [caused] serious physical injury to another by

means of a deadly or dangerous weapon." (Emphasis supplied.) The trial court gave the following instruction:

"Now, we use the word recklessly. Here's what that means. Recklessly when used with respect to assault or to a circumstance described by a statute defining an offense means that a person is aware of and consciously disregards a substantial and unjustifiable risk that the \*\*106 result will occur or that the circumstance exists. The risk must be of such nature and degree that the disregard thereof constitutes a gross deviation from the standard of care that a reasonable person would observe in the situation.

"Now, if you find that the State proved beyond a reasonable doubt that the defendant was driving a motor vehicle while under the influence of intoxicating liquor, proof of driving while under the influence of intoxicating liquor or together [sic] with proof of any other act of negligence may constitute recklessly as I have defined that term to you. Now, it's a question of fact for you to decide whether the defendant was proved recklessly [sic] and acted recklessly, and this proof must be beyond a reasonable doubt.

"I have instructed you that this crime of assault involves a reckless state of mind, that is being aware of and consciously disregarding a substantial and unjustifiable risk. Now, if you find that the defendant, due to voluntary intoxication, was \*279 unaware of a substantial and unjustifiable risk of which he would have been aware if he had not consumed intoxicants, then such an awareness would be immaterial. The State would not be required to prove defendant's awareness of that risk.

"There's been some evidence presented to you concerning the use of intoxicants by the defendant. And if you should find that the defendant did in fact use intoxicants, this matter may be considered by you in determining whether the defendant acted recklessly."

Defendant argues that with this instruction the court treated the mental state of recklessness within the meaning of the assault three statute as synonymous with the old common law "gross negligence" standard.<sup>5</sup>

#### Footnotes

1 If defendant recklessly caused physical injury to another but without the use of a deadly or dangerous weapon he would be guilty of assault in the fourth degree. ORS 163.160(1)(a).

2 The pertinent parts of the minutes of the subcommittee are as follows:

[18] [19] [10] Prior to the criminal code revision of 1971, gross negligence and recklessness comprised the same mental state for purposes of the automobile guest statute, as well as for criminal liability. *State v. Hodgdon*, 244 Or. 219, 416 P.2d 647 (1966); *Williamson v. McKenna*, 223 Or. 366, 387-88, 354 P.2d 56 (1960). Gross negligence could be made out by proof of driving while intoxicated and one or more negligent acts. *State v. Monteth*, 247 Or. 43, 417 P.2d 1012 (1966). The criminal code now distinguishes between gross, or criminal, negligence and recklessness. An act is criminally negligent when the actor should be, but is not, aware of the risk. An act is reckless when the actor is aware of the risk and consciously disregards it. Proposed Oregon Criminal Code § 11 (1970).

\*280 [11] We have indicated in *State v. Boone*, 294 Or. 630, 661 P.2d 917 (1983), that intoxication combined with negligent driving can constitute criminal negligence, recklessness or recklessness under circumstances manifesting extreme indifference to the value of human life, depending on the nature of the accused's erratic driving, the extent of his intoxication and the attitude he displays toward the consequences of his acts. The difference between criminal \*107 negligence on the one hand and the two levels of recklessness on the other is defendant's subjective awareness of the risks to which he exposes others.

[12] [13] The second paragraph of the challenged instruction would be appropriate if the mental state required by this statute were gross or criminal negligence. However, assault in the third degree requires the higher mental state of recklessness. This instruction may have led the jury to convict defendant upon a finding of lesser culpability than is required by statute. For this reason the conviction must be reversed and remanded for new trial.

#### All Citations

298 Or. 270, 692 P.2d 100



# Psych Eval Notes (12/14)

2 - "two sisters and one brother" # proof for audio record

3 - "leaving school shortly after enrollment"  
- "where he worked to spread his beliefs"  
- "wandering the streets of Ashland preaching"  
- "not seen since 2021" (2020)

4 - "how planet could be affected by my own gravity" (how each planet's gravity of spheres)  
- "denied remembering the first time"

- "feeling like 'ecstasy' and the experience as 'very meaningful' to him" (MDMA/ecstasy)  
- "reported 'hearing voices' as youth but described them as 'my thoughts'"

- "in 2016 his grandmother died, which made him paranoid of people... 'daughter of the American Revolution'... began to distrust people who are not aware of their own community" and became paranoid there could be "aliens around me" / S...

- "flashbacks and nightmares related to his 2017 Assault in the Second Degree conviction..."

5 - "a name he would 'give to my children' (a name I did give to Isaac & his children who called me 'brother')  
- "a federal habeas corpus my parents are not going to live" - because of the truth surrounding the case...

all a



5 - "convince to give him the pistol"  
- "losing his job" (was employed by city  
of levallies...)

- "his mother's safe" (contents)

6 - "They are demons and they are coming  
for my first Amendment rights." (actually,  
that whole paragraph does not sound like me)

7 - "has no insight... does not seem to  
have much insight... I explained future  
my symptoms as a result of the confinement  
reference 9 by Jennifer Staten)

8\* - "that's how God and Religion talks to  
me" (clarity and par rendition of what I  
said) - "have not done much comm. Service"  
- "try to care... in R.S. Possess special power"

- "noise" in "ail" (why is that in quotes?)  
- "vulnerable bird" (= slave product)  
11 - "but if I organize what I say I may  
do it all" whole paragraph/statement is  
not word for word, like all my "statements"

10 - "Everyone in America is evil" (Footprint)  
- "The evil eye" (P...)  
- "The first thing the legal Assistant  
says..."

12 - "picking and choosing words from  
me and that is a confirmation bias"

\* what a horrible translated/relayed Audio  
evaluation. Need for more accountability  
and need



4-5 - <sup>mid</sup>activat ~ "pretended going to trial"  
note "my parents are not going to like"?

± 11 - "They think I have tangents  
but really I am circling around the  
same idea. It seems like I am justified  
in my paranoia; the institutional system  
does not help, our constitutional rights  
are of f... I guess I will write a book  
about how prisons make criminals instead  
of helping people... condition people  
in a better way"

± "I was writing a bible?"  
(persecuted for reading a bible)  
punished  
• unempathetic  
• culture...

± SAD p. 9 - "delusional / grandiose  
that he has something great and  
undiscovered by the rest of society  
disorganized thought and misused  
speech - pressured speech

• endorsed narcissistic beliefs  
related to his importance in  
society (everyis; or what we're just  
expanding?) - "persecutory delusions"

A. 10 - "delusional beliefs @ the family" (is culture effect)  
- self defense - innocence - DA of record - comm. -  
service activism - better in Texas, love human nature -



- ~~intended~~ Milgram experiment - <sup>right to consent</sup>

"... if no one told them" (than they

do not know (are unconscious of their

evil) I detested evil as footprint.

12 "unable to discuss hypothetical

situation due to inability

to stay on topic " (or inability

to see how it is related" (or to gain insight

... "became tangential and

began talking about the legal

system" (THAT IS NOT TANGENTIAL)

"... inability to rationally

conceptualize the rules" of

various legal personnel"...

1.3 - "made delusional comments

about the legal system" <sup>± 1/3</sup>

"paranoia around legal system

"courtroom personnel" <sup>→ (not London) (no people)</sup>

"inability to hypothetical discussion

(disorganization, tangential speech,

delusional beliefs)

"has little insight into his mental illness &

"treatment needs" <sup>care</sup>

"attend scheduled appointments" <sup>or complying</sup>

"a history of violence when unstable" <sup>or violent</sup>

"was violent during arrest or assaulted" <sup>in fact? now</sup>

"am I violent?" <sup>am I violent?</sup>



expanding on the Google/Microsoft claim  
- Big Brother, Snowden, "Big Data" is just one  
"meaningful experience". "They don't know how to make  
money" what I meant to say and Real Value means \$  
"Unta" (define w/ out computer intelligence/program-  
ization. "things not educated" (⊕) = "forgive them for  
they know not" (temptation) (commandment 7 from the  
"I must" (isn't that what gives the D.O.J. the power  
over? claims @ collective superiority over  
the individuals - of knowing what right/wrong  
"I would a name would give to children" (1) it was a  
name I gave to my family & children & went by past year  
2) no made rights read? 3) thought so even for my  
work w/ chat of Police by once on APE 4) was drunk  
5) read 8/8 transcript. "Left in Desert" but at all how  
I told the story... make more money to not consider  
me an an individual "is problem w/ contracts/fut  
of not taking my words seriously i.e. the belief were  
not under immense pressure globally (so in perspective)  
claim and narrative claim & guarantee - all based  
off distrust in me, and my ability to accurately  
draw real threats. By not trusting that the patient  
has real pain/worry/training/experience to add to  
collective knowledge, instead preferring to hypno-  
tize and maintain status quo of repression/suppression/  
oppression. (the opposite of prepared conscious culture)  
+ R2:eval. "poor insight" (staff doesn't  
respect sleeping power of association)  
- meaning? "moments, address, same, mix-up  
need for drug design - 2 drug edu. + B16 Pharma  
and other plant medicines (natural)  
eval 5.2



Prots to add

"violent" - case # to DA

"unlikley to attend" - cats

P2#3 (or R3) Acceptance

- Safe : other prot for (growing death neurons to think best)

- Want of Harbor (Admin prot : const.)

- DADA alternatives : consent, false record:

"natural" contra indication, lack of will

- Miranda, city reputation / documenting - thought

I was well learn, drink, a nurse card

- "Legal rights protected in jail" other

ors and grievances

not patient rights - #

not policy to comment #

- it's a hallway for you, a total

strange, to project onto me motives

and emotions you think are appropriate

- Preference Toward: Natural

Organic, plant medicines (do not

even know if it will work but it

did show identification to address

change the meaning of drug experiment

MDMA - Transparency of drug experiment - mutation should not be used against



11 = They think I have targets but really I am circling around the same idea. I am justified in my paranoia [the initiator + add guarantee, statute, constitution]

Justified paranoia: stereotype/golem/thief-elf, confirmation bias/self-fulfilling prophecy, obedience to authority; conformity, manipulation, consent, systematic distortion of information, effect of belief in human nature on peace activity, nature of language, Betwixt story; common mind

+ ORS, GRUV'S, CONST...

The Eval: mildred/mildred (10) writing/reading (11) (context: punched) "extremist" (p8 - context OST p81 (difference) & cc context model map for p3 consciors culture science & gospel, & - "brought on myself" Christianity promotes martyrdom, = take (3) (pseudo community ~) "they lack education" (11, education on wing line in general (no real conscience culture, religionists & crime) cc holistic science context map, "don't know how to make money off it [otherwise]" (11, invest in results, people & health not in continual/repetitive condemnation. MAKE MONEY w/ A LASTING CURS, NOT ANALYSIS of the evaluator, her beliefs, behavior & accomplishments/partials/dreams) "violent" (p - no, poor context map and proof such as Tail Assault & no response...)

AKA: How is THE DOT important or relevantly receiving the real issues that "led to my demise" (...)

\* How may "shit out statement" can reflect back the tangential, disorganized, delusional - persecutory and paranoid speech of the D.O.T.

I need to reduce my grief - not suppress the (maybe: newspaper or environmentalists) such as client task to criticize and mail as many parties possible to find out

Reflective Criticism: The OST treatment well activation are tangential, disorganized & delusional OST

OST lacks - writing above basic needs (Muslims) no feeling of personal security w/ out my own records or ability to research and questioning interest







chrysalis

university

Washington

university

"SOS 95 Three" + "Why I and Rody to die"

1. Scientific methodology consists of observation,   
 2. Anne Frank Quote = "The roundabout"   
 3. A as evidence of Q3.0: why is it hard to care H: will to   
 4. Technology & Democracy; accountability, micro and   
 5. Big Data, elite propaganda and influence   
 6. The detriment of different beliefs   
 7. a) D. Adams b) P. Davis c) D. Abella (i.e. a causal factor/influencing   
 8. "over medical & undereducated" USA!!!   
 9. a) Grammy & BWA, alt. therapy, warning label, political records   
 10. b) OSH, legal corruption

I. A losing Battle: The Law of Association, the victims)   
 of Dominant culture's projections; unconscious   
 - historical blames on minorities; racism, bigotry

Goal p12: "will likely not take in the information the parents   
 to him as his delusions have influenced his faith   
 in his attorney's abilities (s. no her intention & charity)   
 and the legal system as a whole (s. racism,   
 continual recurrence in same crime each year, lack of   
 place education & effort or accomplishment)"

p13



was amounted to negative ecological & sociological feedback

1. p1; "statement of disclosure" ... "every effort would be made to ensure this evaluation remains as objective and impartial as possible"
2. p2; "summary of pending legal charges" ... "reportedly told the trooper the last time he consumed alcohol was the night before" ... (s. conflicting w/ 3818426053 crash - driving § 42)
3. "while he was arrested and charged w/ a new offense unrelated to this case, which has since been resolved"

(s. request for transcript)  
substance use history pp 3-4 "using whenever he was able to afford"

Redirection: although "whenver he can get..."  
cl have numerous disputes and corrections cl would like to address, cl will focus on what cl deemed the most likely to have influenced/enacted law ORS 161.370 to take effect

↑ JUST

p2 "bend over and take the punishment" [regardless of whether or not cl did it]

Napolean complex which he defined as his father being "jealous" of Mr. Basset's intelligence - that was not my definition for the complex that was an additional statement.

p3 "described everyone he met at school as 'fake'"  
"some outside doctor bribe guards to tell him" <sup>make it look as stupid</sup>  
any of his policies might be delusions  
"noter that his beliefs do not appear bizarre"

"could have been corrected if he would have communicated his concerns/reasoning at that time"  
(s. That is what cl did ... hand "patient" was educated that regardless of the reasoning what he just did was not okay" ; also "withholding expressa" took the ability "vs" patient moved his ability to thumb area and took his other"

Commit 4

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\* p7. "Spoke loudly w/ pressured speech"  
"disorganized and his thoughts were often incoherent"  
"poor attention and often became perseverative  
and tangential" (s. continuously explaining the  
false narrative and justified paranoia)

\* p13. "due to his inability to keep from 'preaching' to others  
in jail" ("disorganized behavior") were

\* p12. "he identified himself as the one who has the final  
decisions made related to his case" vs <sup>16</sup> he was reminded  
that he is the one who ultimately must make the final  
decisions in his case <sup>10</sup> "it is unclear if he  
retained the education"

2. "he was able to identify how he should act in a  
courtroom"

3. "the evil nature of the system and the witnesses  
that were interviewed" (add my definition: biological  
and sociological footprint) & D. Bella "emergence  
of evil" & Milgram's systematic distortion

3a. "due to corrupt nature, most likely to be successful <sup>it's not what  
you want</sup>"  
4. "delusional beliefs interfered w/ his ability to rationalize  
conceptualize the roles of various legal personnel"  
"I could understand the PRSS & explained their vulner-  
ability to corruption, she did not take seriously my  
experience, concerns and in a rush for time  
determined her limited interest and understand-  
ing were my own. I am happy to explain myself to  
an open and impartial mind."

5. "his national ... is impacted by his disorganization &  
delusional beliefs" (cont. bias p12, Milgram p10, behaviorism p3, p11 = 10)

5a. "does not understand the nature of the proceeding"  
"his ability to have a rational discussion and use factual  
knowledge" (I told her I drank after... its on report)



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## PSYCHOLOGICAL EVALUATION

**CLIENT NAME:** Barrett, Spencer Joseph  
**LANE COUNTY CASE NO.:** 19CR17970  
**EVALUATION DATE:** September 22, 2022  
**DATE OF REPORT:** September 30, 2022

**IDENTIFYING INFORMATION/REASON FOR REFERRAL:** Mr. Spencer Joseph Barrett (DOB: 04/18/1994) is a 28-year-old male. He is currently incarcerated at Lane County Adult Corrections Facility (LCACF) due to pending charges of Assault in the Third Degree-Driving Under the Influence of Intoxicants (Class B Felony) and Driving Under the Influence of Intoxicants (Class A Misdemeanor), which are alleged to have occurred on or about November 06, 2018. Mr. Barrett was referred for a competency evaluation on September 14, 2022, by her attorney, Ms. Amy Counter.

### SOURCES OF INFORMATION:

1. Clinical interview conducted with Mr. Barrett on September 22, 2022, for approximately 2.5 hours.
2. The State of Oregon vs. Barrett, Spencer Joseph Affidavit of Probable Cause and Order authored by Deputy Sheriff Michael Hudson on November 16, 2018.
3. Lane County Sheriff's Office (LCSO) records
4. Corvallis Police Department records
5. Oregon Department of State Police Forensic Services Division records
6. Lane County Adult Corrections Facility (LCACF) medical records
7. Willamette Sky Counseling records (requested on August 31, 2022, by Public Defender Services of Lane County, INC. Records were not received prior to the completion of this evaluation.)

### STATEMENT OF DISCLOSURE:

Prior to his participation in the evaluation process, Mr. Barrett was provided a verbal explanation regarding the nature and process of this evaluation. He was informed a report would be completed regarding the results of this evaluation, which would be provided to his attorney and, therefore, would be neither privileged nor confidential. He was informed he would be asked questions regarding his background, mental health, crimes or arrests, and his time at LCACF. It was expressed to Mr. Barrett that, while the results of this evaluation could affect him adversely, every effort would be made to ensure this evaluation remains as objective and impartial as possible. He was asked questions related to this disclosure to ensure understanding and was able to put into his own words the purpose and limits of confidentiality related to this evaluation. Following this procedure, Mr. Barrett opted to participate in the requested interview.

### SUMMARY OF PENDING LEGAL CHARGES:

CONFIDENTIAL PSYCHOLOGICAL EVALUATION



On November 06, 2018, Lane County Sheriff's Office (LCSO) Troopers were dispatched to assist with a vehicle crash. Troopers reportedly observed a group of people waving to a man sitting on the side of the road. He was later identified as Mr. Barrett. Mr. Barrett reportedly told Trooper Michael Hudson that "he was driving too fast around a corner and went into a slide."<sup>1</sup> The victim of the vehicle crash was transported to the hospital. One of the witnesses on the scene alleges that Mr. Barrett had an unopened can of beer in his hand when he allegedly attempted to flee the scene. Mr. Barrett heard the conversation between the witness and Trooper Hudson and reportedly told officers that he wanted to drink the beer to help him "calm down"<sup>2</sup> after the crash. Mr. Barrett reportedly told the Trooper that the last time he consumed alcohol was the night before. Trooper Hudson noted that Mr. Barrett appeared to have difficulty understanding what was going on. Mr. Barrett consented to a Field Sobriety Test and a breath test. Following the results, Mr. Barrett was arrested and charged with Assault in the Third Degree-Driving Under the Influence of Intoxicants (Class B Felony) and Driving Under the Influence of Intoxicants (Class A Misdemeanor) for the above-mentioned circumstances. Additionally, he was issued citations for the traffic violations of Speeding, Failure to Perform the Duties of a Driver, and Failure to Wear a Seatbelt. Mr. Barrett was released to the community pending trial. While in the community, he was arrested and charged with a new offense unrelated to this case, which has since been resolved. He is currently incarcerated at LCACF awaiting trial for his pending charges of Assault in the Third Degree-Driving Under the Influence of Intoxicants (Class B Felony) and Driving Under the Influence of Intoxicants (Class A Misdemeanor).

#### RELEVANT PSYCHOSOCIAL HISTORY:

*The below information was obtained from collateral sources and Mr. Barrett's self-report. In general Mr. Barrett was cooperative but his presentation was impacted by his delusional beliefs. As such, the following information may be impacted due to his current clinical presentation and should be reviewed with caution.*

##### Family/Social History:

Mr. Barrett reported being born in Ogden, Utah. He described being reared by both his biological mother and biological father. He disclosed having three siblings (two sisters and one brother) and being the second oldest child. At the age of two, he reported moving to Eugene, Oregon and living there until the age of seven. He stated that his family then moved and settled in Corvallis, Oregon. He described his childhood as "fine" and stated that his parents "never paid attention to me." He denied witnessing any domestic violence in the home and denied experiencing sexual abuse/neglect as a child. He did report being disciplined by his father with a "belt" and being asked to "bend over and take the punishment." He stated that his father has a "Napoleon complex," which he defined as his father being "jealous" of Mr. Barrett's intelligence. He added that his father was very "manipulative" and someone who does "not believe in love." He reported having a good relationship with his two sisters but described his brother as a "bully." He described his mother as being a "housewife" who is on "pills." He stated that his mother tends to "do whatever my dad says." He reported that he currently has no relationship with either of his parents.

##### Educational/Employment/Living History

Mr. Barrett reported graduating from high school with honors at the age of 18. He described attending the University of Oregon where he studied Biology. He reported leaving the university

<sup>1</sup> LCSO records-Supplemental Report dated November 16, 2018.

<sup>2</sup> LCSO records-Supplemental Report dated November 16, 2018.



in the middle of his second year. He disclosed being "depressed" while in school and described everyone he met at school as "fake." He added that, in the Spring of 2013, he took some "Hawaiian baby rose wood seeds," which he described as a hallucinogenic, and had a "spiritual awakening." He stated that his spiritual awakening made him realize he needed to leave school. He disclosed moving to a commune in Ashland, Oregon where he worked to "spread" his beliefs. He described "working" on and off on the commune but eventually left due to the communes "obsession with the QAnon conspiracy thing and it was all fear media and I felt it was making them paranoid." He added that he was frustrated that the commune "never listened to me. I would do all this work for them, and they never listened to me, the leader.... I still love them." He reported that while he was away from the commune, he would live with his parents and work in Corvallis. He described having various jobs, one of them being as a firefighter. He added that in 2018 he attended Lane Community College but ended up leaving school shortly after enrollment. He reported that in 2021 he moved to Sedona, Arizona and worked as a landscaper. He disclosed that his biggest job was working in "conscious culture science and gospel." He described that as the "science of behaviorism." He reported losing sleep over the issues in the world and began publishing things on the internet about the "adverse effects of the psyche." He stated he began to get recognized by people in public for his online activity and decided he needed to move to Los Angeles, California and spread his beliefs. He reported trying to "scare perverts and pedophiles everywhere and let them know satellites can smack you in the distance." He reported being homeless while in Los Angeles and described it as a better environment to "preach." He stated shortly after moving to Los Angeles he was "harassed and could not sleep." He described "so many gangsters so I got more psychotic in LA and needed to go back. I heard there were 40,000 homeless people and I was told to preach there and none of them could comprehend me, and it was dangerous." Prior to his current incarceration, he reported living with his fiancée on her property and also being "homeless," wandering the streets of Ashland "preaching." He reported that he is currently writing a book with his "preaching" in hopes that it reaches people and "changes society."

#### Relationship History

Mr. Barrett reported having a wife who he married around 2017. He described having a four-year-old daughter with his wife who he has not seen since 2021. He disclosed his wife "left me in the desert" after he returned from Los Angeles. He described his wife as having "postpartum depression and threatened to hurt herself and my daughter." He reported in 2021, when he was in Sedona, Arizona, he attempted to "get closer to my daughter." He stated that his wife was not feeding his daughter and he described attempting to go to the store to buy her apples. He reported that, when he left the car to get her some food, his wife "left me in the desert." He denied having any contact with his wife and daughter since the incident. Despite still being married, he reported currently being engaged to another woman who he stated is currently pregnant with his second child. He stated that they lived in a trailer she owned and supported themselves with her "money from Covid and past relationships she was in." He denied having any other biological children and denied having any other significant relationships.

#### Substance Use History

Mr. Barrett reported first drinking alcohol at the age of 17. He stated that he drinks heavily about twice a week. He described drinking whatever alcohol is offered to him by friends. He denied seeking alcohol and denied ever experiencing withdrawal symptoms from alcohol. He reported first using marijuana at the age of 18. He described using whenever he was able to afford to buy



marijuana. He denied ever experiencing withdrawal symptoms from marijuana. He described being into "psychedelics" and reported they are his substance of choice. He reported a history consisting of mushrooms, lysergic acid diethylamide (LSD), and lysergic acid amide (LSA) (Morning Glory Plants). As mentioned above, he reported first using in 2013 when a friend offered him "Hawaiian baby rose wood seeds." He disclosed using whenever he can get the substance and described the experience as "having lots of interesting thoughts about how planet could be affected by my own gravity." He denied experiencing any withdrawal symptoms from hallucinogens. He reported using methamphetamine twice in the last year. He denied remembering the first time he used but disclosed that the second time he used was prior to his most recent arrest. He described methamphetamine as feeling like "ecstasy" and the experience as "very meaningful" to him. He denied experiencing any withdrawal symptoms from methamphetamine. He denied any other substance use history and denied attending any substance use treatment.

#### Medical History

Mr. Barrett denied any history of medical diagnoses, concussions, seizures, and surgeries.

#### Mental Health History

Mr. Barrett denied ever being diagnosed with a learning disability or a mental health diagnosis as a child. He reported "hearing voices" as a youth but described them as "my thoughts." He further described these symptoms as "different moods we have throughout the day." He described hearing multiple voices and described everyone as having these voices. He added, "They talk about everything to you, you pick up on things like other people's way of talking and I don't think people are conscious of it, but I am imprinted with it." He denied a history of visual hallucinations but did offer that, while on "psychedelics," he often saw things that he believed to be a part of his "preaching" and religion. For example, believing he had "died on it [hallucinogenic] and I was held in the arms of the universal mother who shushed me to sleep." He reported that in 2016 his grandmother died, which made him "paranoid" of people. He described his grandmother as being a "Daughter of the American Revolution" and being active in her community. He reported he began to distrust people who are not aware of their "own community" and became paranoid there could be "aliens around me." He denied seeking mental health services at that time and instead described embracing his role in society and "preaching." He described seeking mental health services in 2018. He stated that he began having flashbacks and nightmares related to his 2017 Assault in the Second Degree conviction involving his father and sought therapy in the community. He reported being diagnosed with Posttraumatic Stress Disorder and being prescribed Propranolol (beta blocker used for anxiety). He disclosed that he only took the medication for a short period of time because it made his symptoms worse. He further stated he began hallucinating on the medication and "it brought back really horrible memories to the forefront like when you remember something." He denied receiving any other mental health treatment and ever being diagnosed with another mental illness in the community. He denied ever being hospitalized for mental health symptoms, and he denied a history of suicidal ideation and/or homicidal ideation.

#### Legal History

Mr. Barrett was asked to detail his past criminal history. He was asked to detail his 2013 conviction, but he became tangential and began speaking about the assault on his father. Although several attempts were made to redirect him, Mr. Barrett continued to perseverate on his Attempted Assault in the Second Degree conviction. He stated that he was the victim in that case and was



traumatized by the force used by his father. He further stated that he was not at fault for any of his past charges and wanted to file a "federal habus corpus my parents are not going to like. They know I am not dishonest." He explained that he was "tricked" into taking a plea bargain for a lesser charge and instead would have preferred going to trial. Regarding his 2022 conviction, Mr. Barrett described providing the officer with a name that was important to him, a name he would "give to my children," which he explained was not "giving false information since it was basically my name."

*Collateral Information:*

According to Mr. Barrett's Criminal History Worksheet, he was convicted of Criminal Trespassing in the Second Degree on March 11, 2013. Circumstances of his conviction are not in the available records.

According to Corvallis Police Department records, Mr. Barrett was charged with Assault in the Second Degree, Robbery in the Third Degree, and Criminal Mischief in the Third Degree for an incident which occurred on or about July 18, 2017. According to the records, officers were dispatched to a report of a stabbing in progress. When officers arrived, they found Daniel Barrett (Spencer Barrett's father) bleeding from various puncture wounds. Daniel reported to officers that about two weeks prior to the incident, Mr. Barrett's "mental state started to degrade."<sup>3</sup> He disclosed that his son received a pistol from his father-in-law, which concerned Daniel as Mr. Barrett implied to him that he should not be "trusted with a gun."<sup>4</sup> Daniel reported he was able to convince Mr. Barrett to give him the pistol, which he hid so his son would not be able to find it. He further explained that his son was suffering from stress after getting married and losing his job. Daniel described a belief that his son was suffering from "psychosis"<sup>5</sup> although he "had not been formally diagnosed with any mental illness."<sup>6</sup> He further described that Mr. Barrett was recently having "pressured speech" and "disorganized thoughts."<sup>7</sup> He added that his son recently "confronted him and Colleen [Spencer Barrett's mother] about his concerns that they had his grandmother killed."<sup>8</sup> Daniel reported that Mr. Barrett came home and became instantly upset after he reminded his son he took the gun from him. He reported that his son began threatening to take his mother's safe with him unless he was given the gun back. To keep Mr. Barrett from taking the safe, Daniel reported he tackled Mr. Barrett to the ground. Daniel described feeling a poke from the knife and eventually convinced him to drop the weapon. Mr. Barrett fled the scene and was arrested shortly after. He was convicted of Attempted Assault in the Second Degree (Class B Felony) on September 08, 2017.

On August 01, 2022, Mr. Barrett was charged with Criminal Mischief in the Second Degree (Class A Misdemeanor), Giving False Information to Peace Officer in Connection with a Citation/Warrant (Class A Misdemeanor), Disorderly Conduct in the Second Degree (Class B Misdemeanor), and Criminal Trespass in the Second Degree (Class C Misdemeanor). He entered

<sup>3</sup> Corvallis Police Department – Incident Report dated July 18, 2017.

<sup>4</sup> Corvallis Police Department – Incident Report dated July 18, 2017.

<sup>5</sup> Corvallis Police Department – Incident Report dated July 18, 2017.

<sup>6</sup> Corvallis Police Department – Incident Report dated July 18, 2017.

<sup>7</sup> Corvallis Police Department – Incident Report dated July 18, 2017.

<sup>8</sup> Corvallis Police Department – Incident Report dated July 18, 2017.



a plea of Not Guilty and was convicted of Giving False Information to Peace Officer in Connection with a Citation/Warrant.

Lane County Adult Corrections Facility (LCACF) Course

Mr. Barrett sought mental health services during his current incarceration, reporting that he was looking for something to "help with paranoia and fear that others were going to hurt me while I was in here." He added that on September 06, 2022, he was "punched" in the face for "reading the Bible out loud." He described his peers as having the television on with some "bullshit news and I felt like others needed to hear what I had to say." He further stated,

The television on that does not matter to me, I am losing my own inner voice and I have to hear all the shit they are saying and I pick up on their emotions. They talk about stuff that doesn't matter and that hurts my inner voice and I cannot think for myself. I have to chance and find my inner peace. They are demons and they are coming for my first Amendment rights. I use the Gospel for waking up. I am Unitarian but Jesus is a big emblem of love.

Mr. Barrett reported more frequent panic attacks after he started taking psychotropic medication.

*Collateral information:*

Mr. Barrett has been housed at the LCACF since August 02, 2022. On August 17, 2022, he sent a mental health request to obtain medication for "recurring panic attacks and/or writing utensils and papers or more books too, to help focus on something other than small space entrapment."<sup>9</sup> On August 25, 2022, provider Alfredo Velez notes that Mr. Barrett was endorsing symptoms of anxiety and depression. He was placed in protective custody due to "feelings he was unsafe, and that he thought Deputies were going to kill him and stage it as a suicide." Dr. Velez described Mr. Barrett as speaking rapidly, "very difficult to interrupt, and could not tolerate me talking for more than 2 sentences without interrupting."<sup>10</sup> He further wrote that Mr. Barrett was very tangential, "often going into minute digressions and having to be redirected back to a chronological account."<sup>11</sup> He further notes,

He states that about 4 yrs [years] ago he was living w his father and they got in an argument that got physical. He states that his father grabbed him, and he pulled a knife on his father. Police were called, and he was charged with a felony. Sometime after that episode, apparently when he was on probation, he was in a car crash and was charged w [sic] DUI [Driving Under the Influence]. He states that he complied w probation for about a year, but got tired of feeling like they were just working against him, so he left. Over the next 2 to 3 years, he basically traveled to different areas, living on the streets and trying to pursue activism or ministry. He worked for very brief periods, usually a week to a month at different locations. He also during [sic] some of the time was living in a commune with his ex-wife, with whom he has at least 1 child. More recently, he had met his current fiancée in California, and also reports for about a week on a farm there. He has relied on friends and associates to provide him with housing as well as Greyhound bus fare to travel between cities. At times he is also relied on his mother who has provided some support. He states that he is now incarcerated because he was in Ashland and was outside a bar when police were called and he was charged with trespassing. He states that then warrants for the past DUI and past assault charge came up and that is what is being held. He states that he has a court date on November 5 but has been unable to talk with his lawyer. Throughout his explanation of the events of the past 2 to 3 years, he talked about situations where he got "paranoid (his word)." For instance, when he was hiking the Pacific Chris [sic] Trail, he found to a pen in backpacks which made him think that people had been murdered. When he was dating his fiancée, he

<sup>9</sup> Lane County Adult Corrections Facility (LCACF) medical note by provider Jennifer Staten

<sup>10</sup> Lane County Adult Corrections Facility (LCACF) medical note by provider Alfredo Velez

<sup>11</sup> Lane County Adult Corrections Facility (LCACF) medical note by provider Alfredo Velez



got an STD from her and thought that she was also molesting her child. He confirms that when he is in his current housing area in East Annex, whenever there is a change of the lighting schedule or new cards are signed, he worries that some outside doctor has bribed the guards to kill him and make it look like a suicide. However the patient has no insight into the possibility that any of his police might be delusions. He also does not seem to have much insight into his current agitated state, other than agreeing that some medication might be helpful.<sup>12</sup>

Regarding Mr. Barrett's diagnosis, Dr. Velez notes that his symptoms of rapid speech, grandiose ideas, and tangential thought process suggest an individual who may have mania or hypomania. He further explains that his paranoid beliefs suggest schizophrenia but notes that his beliefs do not appear bizarre. Additionally, he indicated that the above-mentioned symptoms mixed with his anxiety could be suggestive of Generalized Anxiety Disorder or Obsessive-Compulsive Personality Disorder. He prescribed him Abilify (antipsychotic) and Lexapro (depression/anxiety medication). On August 27, 2022, medical staff Corrin Clemons notes,

During AM med rounds patient attempted to deceive this nurse and DS while taking his medications. Patient moved his "ability" to thumb area on his palm and took his other medications while holding this one back; patient then proceeded to show us his mouth and go back to his bunk although he clearly still had this medication in his hand. When patient was told that he needs to give back the med if he is not going to take it patient began to argue with me that I was supposed to supply him with paper regarding the medication. Patient was educated that I was to do no such thing as I had nothing with me to provide him. Patient reports sending multiple kites regarding the medication information before he will take it. Patient was educated that regardless of the reasoning what he just did was not okay. Patient then stated that we are trying to force him to take it without his consent. Patient educated that it is prescribed currently and until that is changed by the provider we have to continue to offer it; but that we absolutely never force anyone to take or do anything that they do not want to. Patient again educated that he is to not cheek his medication as it could result in his other medication being discontinued as well. Patient still talking over myself repeating his reasoning. Conversation was ended at this time. Email will be sent to psych regarding this issue. Off note – Patient ended up withholding his Zyprexa and took the Abilify, which could have been corrected if he would have communicated his concerns/reasoning at that time.<sup>13</sup>

Mr. Barrett has been refusing his psychotropic medications and has not taken them since August 28, 2022.

#### INTERVIEW/BEHAVIORAL OBSERVATIONS:

Mr. Barrett was interviewed in a private room at LCACF on September 22, 2022 for approximately 180 minutes. He was interviewed via Zoom videoconferencing software. The connection and audio/video capabilities were sufficient for the purpose of this evaluation and did not negatively impact the findings of this report.

Mr. Barrett is a 28-year-old male who appeared his chronological age. He presented to the interview in jail issued attire, and his grooming and hygiene were adequate. His eye contact was poor, and he was often scanning the room. He spoke loudly with pressured speech. He was disorganized and his thoughts were often incoherent. He presented with poor attention and concentration and often became perseverative and tangential. Although multiple attempts were made to redirect the conversation, Mr. Barrett could not keep from speaking. He would often talk over me and had difficulty listening to the questions posed. He described his mood as "poor," and his affect was assessed as animated. Rapport was established and maintained.

<sup>12</sup> Lane County Adult Corrections Facility (LCACF) medical note by provider Alfredo Velez  
<sup>13</sup> Lane County Adult Corrections Facility (LCACF) medical note by medical staff Corrin Clemons



Mr. Barrett endorsed symptoms of depression and anxiety. He stated,

I woke up pretty depressed. I was excited yesterday because I got some grievance forms and will complain, and I have hope if I send one to the governor. There was a lot of screaming last night in here everybody is screaming and that depressed me.

In terms of thought content, Mr. Barrett was asked a series of questions designed to elicit commonly held delusions. He denied beliefs others can read his mind and beliefs about thought insertion or removal. He endorsed beliefs about possessing special powers/being famous related to his ability to "preach" and spread his "gospel" of Jesus and love. He stated,

I am a social activist and when people don't care it is kind of weird and I try to care. There are so many things that go on that no one care about and I know I sound like an extremist. For example, slavery is going on. Our grid is so vulnerable because we are importing slave product and we are not prepared for the worst-case scenario. I really started being an activist in 2013 when I imagined being a monk and I have not done much community service.

Mr. Barrett further stated that he began publishing magazines related to "conscious culture" and started making films he posted on YouTube. When asked to detail where he was "publishing magazines," he stated he published them on Facebook. He described his friend as telling him he had a "huge following on the underground because of the things I published but Facebook told me I didn't because their records were maybe lying because I have like 10,000 followers but would only get a few hundred likes." He described fearing for his life because it is "well known" that activists are "dying and disappearing" around the world. He reported that "Google or "Microsoft" must be on his "side because I recorded so much, and I am not dead yet so something must like me there." He endorsed beliefs that the television and radio are communicating with him. He stated, "I think everybody, and everything is talking to me like the television and radio. If I can unravel it, I think there is a story and its relevant to me and I think that's how God and religion talks to me but now it is all defined as psychosis and people think I am psychotic." He denied any current auditory/visual hallucinations. He was not observed verbally responding to internal stimuli but was often observed scanning the interview room. He indicated that his appetite is normal but did endorse only getting two hours of sleep a night due to the "noise" in jail. He denied any current suicidal/homicidal ideation.

Mr. Barrett reported belief that he suffers from Posttraumatic Stress Disorder and experiences depressive symptoms. He stated,

I think I brought this mental illness on myself. I have a desire to think of myself as a martyr because I am a Christian, but I don't want to die. I think I have of have one, but I think it comes with speaking so much. I always imagine others hurting me because I am an activist.

He denied belief that he has symptoms of schizophrenia and denied the need for psychotropic medications.

Mr. Barrett's intellectual abilities could not be assessed as he became increasingly disorganized and would not attend to the questions asked. Despite multiple attempts to redirect him, he would become tangential and could not be redirected.



**DIAGNOSTIC AND STATISTICAL MANUAL – FIFTH EDITION – TEXT REVISION  
(DSM-5-TR) DIAGNOSTIC IMPRESSIONS:**

Unspecified Schizophrenia Spectrum and Other Psychotic Disorder

Rule out:

Alcohol Use Disorder  
mood disorders  
personality disorders

Mr. Barrett denied ever being diagnosed with schizophrenia in the past but does evidence symptoms consistent with this disorder, such as exhibiting disorganized speech, endorsing delusional beliefs, and a history of auditory hallucinations. His delusional beliefs are predominately grandiose in nature reflecting a belief that Mr. Barrett has insight into something great and undiscovered by the rest of society. Collateral information also indicated that Mr. Barrett is having some persecutory delusions surrounding the Deputies at the jail conspiring against him, making his environment unsafe. Additionally, collateral information indicated that his family have also observed symptoms of schizophrenia, such as disorganized thoughts and pressured speech, and reported belief that Mr. Barrett may be exhibiting symptoms of psychosis. Although Mr. Barrett attempted to somewhat minimize his substance use history, it is clear based on his report and collateral information that he has a history of substance use. While it is likely that his substance use potentially worsened his mental health symptoms, it is unclear whether it is the causal factor. Additionally, the etiology of his symptoms remains unknown, therefore a diagnosis of Unspecified Schizophrenia Spectrum and Other Psychotic Disorder is offered at this time.

Although a diagnosis of Alcohol Use Disorder was considered, the lack of information in collateral sources and Mr. Barrett's minimization of his alcohol use made it difficult to justify a diagnosis. This diagnosis should be considered if additional records are provided and/or if Mr. Barrett provides greater detail about his past use. If this diagnosis is present, it would be in addition to his qualifying mental disorder and is not related to his current ability to aid and assist. Additionally, various mood disorders were considered due to his rapid speech and reported lack of sleep. There was not enough information in his records and Mr. Barrett did not endorse enough symptoms to meet diagnostic criteria for a mood disorder. Additionally, his lack of sleep could be better explained by his current environment (jail) and his tangential/pressure speech could be better explained by his schizophrenia diagnosis. As such, a mood disorder should be ruled out in the future should additional information be provided. Various personality disorders were considered due to his grandiosity during the interview. He endorsed some narcissistic beliefs related to his importance in society and some of his past behavior could be indicative of antisocial traits. Due to the paucity of information, the pervasiveness of these symptoms could not be determined. Additionally, some of these beliefs are better explained by his symptoms of schizophrenia. As such, a personality disorder should be ruled out in the future should additional information be provided.

**ASSESSMENT OF RESPONSE STYLE:**

Mr. Barrett appeared to participate in the interview in an open and forthright manner. He evidenced symptoms commonly observed among people suffering from psychosis with evidence he has previously experienced such symptoms as noted in collateral sources. His self-report also seemed



largely consistent with the available collateral information. It is, therefore, opined that Mr. Barrett did not attempt to exaggerate or feign symptoms of mental disorder for the purposes of this evaluation.

**EVALUATION OF COMPETENCY:**

*Oregon Revised Statute 161.360 states, "A defendant may be found incapacitated if, as a result of mental disease or defect, the defendant is unable:*

- a) To understand the nature of the proceedings against the defendant; or*
- b) To assist and cooperate with the counsel of the defendant; or*
- c) To participate in the defense of the defendant.*

**Understanding the Nature of the Proceedings**

Mr. Barrett was able to identify his current charges and was aware of the maximum penalty of these charges. He knew a felony was worse than a misdemeanor. He was able to describe the plea options of Guilty, Not Guilty, and No Contest. He was unaware of the plea option Guilty Except for Insanity (GEI). He was educated on the concept and was able to retain the information. When asked to explain what a plea bargain is, he stated, "It is an agreement between you and the prosecutor that you will abide to in order to exit the current situation; you are in a promise contract. When you take one you don't have to deal with unreliability and corrupt judges, and you get to skill all trial matter and don't have to worry about jury." He added, "You give up your right to an appeal. If you don't know that beforehand, like I did in my first case it was unconscionable for me to do. I should have done self-defense and people do not believe in innocence." Mr. Barrett was unable to separate his delusional beliefs when answering questions related to courtroom personnel. When asked to define the role of the prosecutor he stated,

The prosecutor or the DA [Defense Attorney] has the right to speak to the jury members without a record so they can say whatever they want even though they make money. They go in closed rooms with the jury and bring in people and I think that is why I won't get a fair trial. The prosecutor is supposed to be on the states or the public welfare. I hope they are, and I hope they see my community service activism. Actively caring about the state and they are supposed to be on the public side.

He further stated,

I would talk to the prosecutor alone; I don't know if I should, but I feel they already say whatever they want about anything. I would do it to get a feel of who she is, but I can end it if I want. If she believes in Jesus, why is she prosecuting people? If she believes in love, that is fine. If she doesn't believe in human nature and is predisposed to violence, then she believes in evil in human nature. It could be unconscious. The emergence of evil is like the Mildred Experiment. It is just a shock experiment, are they evil or is it because they listened to another individual without questioning it? I am not condemning people. They are systematically unconscious or not thinking about themselves. I am not going to be able to say anything, I am just going to have to accept it. I am going to respect the procedure, but I am not going to talk. I also realize they are not going to listen to me. In a way I do think everyone in there is evil but technically I think everyone in America is evil but due to your daily behavioral interactions, you are adding to your problem. What you say to people if you are really accomplishing it and if no one told them.

Mr. Barrett identified the Judge as maintaining order and determining sentencing lengths. He stated that they are supposed to be on the side of justice or God. He correctly identified the role of the jury but was unaware of how many individuals sit on a jury and how many must agree when determining guilt or innocence. He correctly defined the difference between a Bench Trial and a Jury Trial. He stated he would probably pick a Jury Trial because "it is easier for judges to be



corrupt but if one jury member takes me seriously, that is nice." He correctly defined the legal terms Contempt of Court, Perjury, evidence, and probation. Mr. Barrett denied the ability to get a fair trial but stated,

I am going to try to get a fair trial, but I don't feel like I will. I am going to try because I owe it to myself, I need to be a conscientious person, but I probably won't get a fair one, but I will do it. A lot of people don't get in trouble with the police, but I have been in trouble and the jury will know that, but they lack education.

**Ability to Assist and Cooperate with Counsel**

Mr. Barrett correctly identified the name of his attorney. He then became tangential about the legal system. He stated,

I am really interested in helping. My records show the things I have worked on that I am naturally interested in regardless of the money. I have done all my work without money and that should show something. It seems for me to be prosecuted on an individual level seems unfair. All the things I say are disregarded because I am babbling on. I don't know. It is hard to remain hopeful in these circumstances because I bring up these situations. They think I have tangents but really, I am circling around the same idea. It seems like I am justified in my paranoia; the institutional system does not help, our constitutional rights are off. I still retain a small bit of hope in my writing and willingness of helping my community. Ridiculous, seems smarter to put me in prison, I guess. I will write a book about how prisons make criminals instead of helping people; all the conditioning to reward them on how to not be good people. I don't know why we are not trying to condition people in a better way. Don't they have a right to actively pay attention to these rats in a maze? They are surveyed by the prosecutor who gets paid actively to seek out the worst thing. The Evil eye is hard for me because if they want something bad for me, I get submissive and freeze. So, if someone wants me to be really guilty, I am just going to submit. I somehow believe this could be God's plan, but this is really hard for me. I think the only thing to do is start a ministry the end schism ministry. I don't know about faith, so I am in a schism. I hope there is a better plan because society has told me that people who are religious are still abused. Look at the Holocaust; they were persecuted. I was writing a bible. The people I have talk to in here are Pastors. Jesus did not kill when he had the ability, but I asked Pastors why they can break the 10 Commandments and can kill and they say, "Well killing is not the same as murder." They are in the schism, and I need to end the schism. I call it the science of compassion or the science of forgiveness; just ridiculous to persecute people. The justice system has not reduced crime, but everyone is making money off it because they don't know how to make money off it. Doctors too are not curing diseases they are just prescribing pills so people can live in a diseased culture. The Pastors too; all making money off the disease. We don't have a quality first off, that's the main thing our Constitutional Rights but we don't have that it says equality but what people believe in we are in a Babylon right now they; have to find the truth themselves but if I organize what I say I may do it all.

Mr. Barrett was redirected, and an attempt was made to gauge his ability to work with his attorney. Mr. Barrett stated,

I don't trust her because I expected that if she is really concern about me, she would have called me. I have left 100 messages and she pretended that she never got the messages. I have talked about the facts of my case and her excuse is that she has too many clients, well that is what I am assuming. I feel like she is working with the DA [District Attorney]. They are pretty hopeless, and they make more money to not consider me as an individual. I gave her my phone passcode. Jackson County took my phone and never moved it to this police department, and I have not gotten to talk to anybody and that is fucked up. I would like to talk to her year, has she just not gotten the messages? Part of me believes that she has my phone and I feel she is working with the prosecutor to find something else. I believe she wants me to be convicted but I also don't know for certain, but it is just like really suspicious. The first thing the legal assistant says if the defense attorney was giving the public prosecutor wads of money, I would want it. It is 100,000 dollars plus a year. The citizens are losing money, but the private prison is making money off the inmate.

whole. During the interview, he made delusional comments about the legal system and felt it would be easier to just agree with whatever his attorney tells him. This puts him at a greater risk to accept whatever his attorney tells him without protest, which impacts his ability to make autonomous legal decisions. His paranoia around the legal system and courtroom personnel will likely impact his ability to trust and work with any attorney appointed to him by the Court.

Mr. Barrett is not able to participate in his defense. During the interview, he was unable to fully engage in discussion regarding a hypothetical case. This difficulty was due to a combination of symptoms (disorganization, tangential speech, delusional beliefs) which are impacting his ability to weigh his options related to his case and formulate a defense strategy. The legal decisions Mr. Barrett has made regarding his case are based on his delusional beliefs. Further, his symptoms will impede his ability to communicate information to the court, affecting his ability to testify in his case and behave appropriately in the courtroom. Additionally, it is unlikely that he will be able to stay focused during his own legal proceedings as he is extremely tangential and fixated on his own beliefs.

Currently, Mr. Barrett is unable to factually and rationally understand the nature of the proceedings, assist and cooperate with counsel, participate in his defense, and make autonomous legal decisions. As such, there appear to be significant mental health symptoms that impair his fitness to proceed.

#### **HOSPITAL LEVEL OF CARE:**

Per Senate Bill (SB) 295, a recommendation regarding whether an evaluatee requires a hospital level of care should be made by a certified forensic evaluator when competency restoration services are needed. SB 295 defines "hospital level of care" as "the type of care provided by an inpatient hospital in order to gain or regain fitness to proceed." SB 295 further states that

A recommendation...that a defendant requires a hospital level of care due to the acuity of the defendant's symptoms must be based upon a review of necessary community restoration services, the defendant's current diagnosis and symptomatology, the defendant's current ability to engage in treatment and present safety concerns relating to the defendant. The recommendation must state the relevant considerations supporting the determination that a hospital level of care is required and why a hospital level of care is appropriate.

Mr. Barrett has exhibited disorganized behavior during his current incarceration. Per his report, he has been the victim of physical aggression due to his inability to keep from "preaching" to others in jail. Further, engaging in these behaviors may put Mr. Barrett at a greater risk for additional victimization. Mr. Barrett has little insight into his mental illness and little insight into his need for psychotropic medications. It is unlikely that he has an adequate understanding of his treatment needs, treatment requirements, and supervisory restrictions should he be ordered to participate in competency restoration in the community. More specifically, these difficulties and his own beliefs may result in Mr. Barrett being unable to adhere to a medication regimen and attend scheduled appointments. Further, he may resume using substances if residing in an unsupervised environment where he can readily access to alcohol, cannabis, hallucinogens, and methamphetamines. Although a formal risk assessment was not conducted, Mr. Barrett has a history of violence when unstable and may pose a risk to others in the community. In consideration of these factors, particularly Mr. Barrett's severity of symptoms, poor insight into his treatment needs, and behavior in the community, it is opined that a hospital level of care is required in his case.



**RECOMMENDATIONS:**

- It is recommended that Mr. Barrett be found incompetent to proceed at the adjudication process and ordered to undergo competency restoration at the Oregon State Hospital.
- Mr. Barrett would benefit from psychopharmacological interventions from providers with expertise in the treatment of severe and persistent mental disorders.
- Once stabilized, Mr. Barrett should undergo a thorough assessment of his mental health and substance use history in order to clarify diagnosis and treatment needs.
- It is also recommended that Mr. Barrett's fitness to proceed be assessed after a period of stabilization. Any deficits should be addressed with appropriate interventions as deemed necessary.
- It is recommended that Mr. Barrett be monitored for victimization by others, particularly if he continues to "preach" his beliefs to others.

Please note that the opinions provided in this report are based upon the information presently available and are subject to change with the introduction of novel information.

If questions arise regarding this evaluation, please do not hesitate to contact me.

Respectfully submitted,



Isabelle Dousarkissian, Psy.D.  
Licensed Psychologist #3501  
Certified Forensic Evaluator

## Psychiatry Admission Assessment



Client Name: Barrett, Spencer Joseph	Client ID: 90061	Facility Chart Number: 100627
Episode: 2	Date of Birth: 4/18/1994	Assessment Date: 11/3/2022
Primary Language: English	Interpreter Needed:	Assessing Clinician: Adediran, Jubril
Information Sources Used at Admission: Face to face interview with patient		
161.370 order		
Police Reports		
RN to RN		
CMHP		
<b>Identifying Data:</b>		
Admit Date: 11/3/2022	Race:	Ethnicity:
Gender: Male	Religion:	Legal Status: Court Order (161.370)
Legal Effective Date: 10/5/2022	Legal Expiration Date: 5/2/2023	Interpreter Name:
Agency Name:		
<b>Identifying Data:</b>		

Spencer Barrett is a 28-year-old male who is admitted to Oregon State Hospital (OSH) for the first time pursuant to ORS 161.370 on 11/3/22 from Lane County Circuit Court for competency restoration. In case #19CR17970 he is charged with Assault in the Third Degree (Felony B), DUII (Misdemeanor A). End of jurisdiction is pending. Lodge date 8/11/22.

**Chief Complaint:**

"I am here because of I got into an accident while drunk in 2018"

**History of Present Illness****History of Present Illness:**

Per Police report: It is alleged that on 11/16/18 Mr. Barrett was driving intoxicated and lost control of his vehicle and crashed into another vehicle sending a victim to the hospital. He attempted to flee but was apprehended by an off-duty LEO and detained until LE arrived.

**Per Forensic Evaluation:**

Per jail records: Pt is currently housed in the jail's East Annex after being in a physical altercation with a peer on 9/6 per nurse. Pt had a cell search on 10/13 and was noted as "hoarding supplies and small containers of yellow liquid found in his cell" per nurse reading note, "it was probably urine". Pt has jail dx of unspecified psychotic disorder, rule out schizophrenia; unspecified mood disorder, rule out bipolar II; and unspecified anxiety per nurse. Pt with ETOH in his system at time of arrest and blew 0.11. Pt was reportedly engaged, reality based, voiced understanding, was organized, future focused, and relatively stable during community restoration report on 10/3 but "court order already submitted for HLOC". Pt with no current medications in jail other than dandruff shampoo and was found attempting to "cheek" medications in August per nurse. NKDA. Regular diet. Independent with ADLs

Per today's psychiatric evaluation (11/03/2022): This writer and supervising psychiatrist, Dr. Kalapati and the charge RN on the floor met patient at his room and escorted to admission room for assessment. Patient is alert and oriented X 3. Affect is flat with sad mood. Eye contact is limited. Patient was able to verbalize the reason why he was here stating "I got into an accident in 2018 while intoxicated and I was told I was unable to stand trial". Patient reports he was diagnosed with PTSD and anxiety in 2018 right after the accident Reports symptoms of vivid dreams for a while "I will see someone yelling at me at the accident scene saying get out the car". Reports he last experienced the symptoms more than six to one year ago. Reports mild bout with depression, but states "I can cope with it by running rather than being placed on medications. Reports people dealing with depression should be able to help others as well in getting better and to cope with depression. Patient reports that he has published more than 200 publications in both magazines, and you tube channels and he has worked in the past with notable environmentalist. Reports feeling of paranoia in the past based on his activism work and his publications "that people might be out to get him". Reports he lost contact with his wife more than two years ago since he has been dealing with these legal issues. Reports he got involved with another woman recently, but she later stopped contacting with him. Patient denies voice, auditory or tactile hallucinations. Reports low self esteem at times when he feels people do not understand what he was doing. Denies suicide attempt or suicide ideation

101-18

**CONFIDENTIAL:** This information has been disclosed to you from records where confidentiality is protected by State Law (ORS 179.505) and Federal Law (45CFR, Part 164). You are prohibited from making further disclosure without specific written consent of the person or as otherwise permitted by law.



# Psychiatry Admission Assessment



Client Name: Barrett, Spencer Joseph      Client ID: 90061      Facility Chart Number: 100627  
 Date of Birth: 4/18/1994      Assessment Date: 11/3/2022  
 Episode: 2

currently or in the past. Reports history of alcohol use and last used was August 2022 and he usually drinks about 6 packs two to three times in a week. Reports he has been to AA meetings in the past and he was also sober for a year from 2019-2020 from alcohol use. He experiments in the past with LSD and Mushrooms in the past, but "they are not my drug of choice". Reports usual smoking of cigarette and tobacco. Denies history of sexual, verbal or physical abuse. Patient reports three years of college education in psychology.

Current Medications: None

## Past Psychiatric History

### Previous Admissions to our Facility:

Program	Admit	Discharge
Harbors (Admission) Pre-Admit	10/21/2022	11/03/2022

### Past Psychiatric History:

Past diagnoses: Unspecified Psychotic Disorder, r/o schizophrenia, Unspecified Mood Disorder, r/o bipolar II, r/o unspecified anxiety Per 10/10/22 CMHP, Mr. Barrett was engaged in the conversation; maintained eye contact; thought content reality based; was oriented x 4 and was able to verbalize understanding of the Aid and Assist program. He was able to identify his charges and attorney as well as spoke about receiving services with schooling through Lane Community College. No other community providers or agencies were noted. He reported having "quiet a few" side effects from taking Abilify and Lexapro and discontinued them. Mr. Barrett also expressed some dissatisfaction around receiving medical and mental health support in a timely manner. Mr. Barrett's thought process are organized, and he seemed future-focused. Mr. Barrett denied any thoughts of self-harm, suicidal ideation, or homicidal ideation. Although, Mr. Barrett presented relatively stable at the time of this interview, a court order was already submitted for a hospital level of care. Community Restoration in unavailable at this time.

Medication trials: Abilify, Lexapro

### History of Significant Aggression/Violence:

History of Aggression or Violence: In 2018 he was driving intoxicated, loss control of his vehicle, hit another vehicle causing significant injuries to the victim, and attempted to flee the scene. Per jail, he was in a physical altercation with a peer on 9/6/22 per nurse.

# Psychiatry Admission Assessment



Client Name: Barrett, Spencer Joseph      Client ID: 90061      Facility Chart Number: 100627  
 Episode: 2      Date of Birth: 4/18/1994      Assessment Date: 11/3/2022

## Suicide Risk Tool

Admit Date: 11/3/2022      Age: 28      Date Entered: 11/3/2022

Demographic Risk Factors: White, Male, No long term relationship

Past 3 Months	Suicidal and Self-Injurious Behavior	Lifetime	Clinical Status
<input type="checkbox"/>	Actual suicide attempt	<input type="checkbox"/>	Substance abuse or dependence
<input type="checkbox"/>	Interrupted attempt	<input type="checkbox"/>	Perceived burden on family or others
<input type="checkbox"/>	Aborted or Self-Interrupted attempt	<input type="checkbox"/>	
<input type="checkbox"/>	Other preparatory acts to kill self	<input type="checkbox"/>	
<input type="checkbox"/>	Self-Injurious behavior without suicidal intent	<input type="checkbox"/>	

## No Suicidal Behavior Recorded

Suicidal Ideation (in the past month)

☐ Wish to be dead

☐ Suicidal thoughts

☐ Suicidal thoughts with method (but without specific plan or intent to act)

☐ Suicidal intent (without specific plan)

☐ Suicidal intent with specific plan

## No Suicidal Ideation Recorded

Activating Events (Recent)

Recent loss(es) or other significant negative event(s) (legal, financial, relationship, etc.)

Pending incarceration or homelessness

Distress about current legal situation

## Describe Recent Loss(es) or other significant event(s)

loss contact with his wife for more 2 yr



## Psychiatry Admission Assessment



Client Name: Barrett, Spencer Joseph      Client ID: 90061      Facility Chart Number: 100627  
Episode: 2      Date of Birth: 4/18/1994      Assessment Date: 11/3/2022

**Protective Factors (Recent)**

Identifies reasons for living/future plans

Positive spiritual/religious beliefs

Effective coping/problem solving

**Treatment History**

Previous psychiatric diagnoses and treatments

**Describe any additional known suicidal or self-injurious behavior (include dates):**

n/a

**Suicide Risk Ratings**

Short Term Risk: Low

Long Term Risk: Low

**Submitted by:** Adediran, Jubril    **On:** 11/3/2022    **At:** 02:28 PM**Family/Social History****Family History:**

Family History: Patient denies history of mental illness or substance abuse in his family. Denies history of suicidal attempt or suicidal ideation in his family.

**Social History:**

Social History: Reports his still married, but lost contact with his legal wife more than two years ago. Reports he later got involved with another lady and later lost contact with her as well. Reports three years of college education majoring in psychology. Denies history of special education. Reports history of physical abuse vaguely when he used to travel as a traveling camper to different cities and states in the past. Reports his likes to make YouTube videos and publications on nature and environment. Reports history of magazines publications, YouTube channels. His area of interest was environmental, ecosystem and bio-organism.

Trauma History: Automobile accident in 2018.

**Substance Use History:**

Patient reports that he started drinking alcohol between age 16/17-year-old. Reports history of alcohol use and last used was August 2022 and he usually drinks about 6 packs two to three times in a week. Reports prior history of black outs, but not currently. Reports he has been to AA meetings in the past and he was also sober for a year from 2019-2020 from alcohol use. He experiments in the past with LSD and Mushrooms but "they are not my drug of choice". Reports usual smoking of cigarette and tobacco.

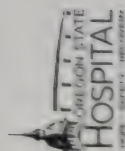
Per jail, Pt with ETOH in his system at time of arrest and blew 0.11.

**Assets:**

Patient is alert and oriented X 3. His cooperative and answers all questions appropriately. Patient seemed to have a fair insight about his condition. Denies to give consent at the moment for medication, but he verbalized he might later consider it.

Print Date: 12/30/2022

## Psychiatry Admission Assessment



Client Name: Barrett, Spencer Joseph      Client ID: 90061      Facility Chart Number: 106627  
Episode: 2      Date of Birth: 4/18/1994      Assessment Date: 11/13/2022

### Diagnosis:

Unspecified Schizophrenia Spectrum

Admission Diagnosis: Unspecified Schizophrenia Spectrum And  
Other Psychotic Disorder  
Working diagnosis: Possible differential diagnosis include Bipolar disorder vs schizophrenia  
disorder vs MDD with psychotic features

Status	Type	Diagnosing Practitioner
Active	Admission	Adelstein, David

### Assessment/Plan



## Psychiatry Admission Assessment



Client Name: Barrett, Spencer Joseph	Client ID: 90061	Facility Chart Number: 100627
Episode: 2	Date of Birth: 4/18/1994	Assessment Date: 11/3/2022

Short Term Suicide Risk:

Low

Short Term Violence Risk:

Low

Assessment (include reasoning for suicide/violence risk assessment):

## UNSPECIFIED SCHIZOPHRENIA SPECTRUM AND OTHER PSYCHOTIC DISORDER

FORMULATION: Mr. Barrett is a 28-year-old white male admitted to Oregon (OSH) for the first time for time pursuant to ORS 161.370 for the purpose of trial competency restoration. Given the history of unspecified psychotic disorder, r/o schizophrenia, unspecified mood disorder r/o bipolar II and unspecified anxiety disorder, a diagnosis of unspecified schizophrenia spectrum appears most accurate. This diagnosis is based on presenting symptoms of possible delusion that people are out to get him due to his past activists' publications, and his claims of more than 200 of publications including working with notable environmentalist appears grandiose. Another diagnostic consideration is Unspecified depressive disorder based on his admission of history of depression and acknowledgement of low self-esteem, sad affect and prior trial of an antidepressant. Reports he was placed on Lexapro and Abilify in the past, but he later stopped because he believes the medications are slowing him down. Other diagnosis considerations should include substance use disorder due to his known history of alcohol use and his verbalization of use of LSD and mushrooms in the past. In addition to consideration of PTSD given prior history due to automobile accident in 2018 and his verbalization of vivid dreams of accident scene. Prognosis is fair. His currently here on aid and assist order, so will have to stabilize his mental illness in addition to review legal skills in preparation for his forensic interview.

SUICIDE RISK ASSESSMENT: Low

Placement in a secure, structured inpatient, medication initiation, access to medical and mental health resource, presumed sobriety at Oregon Hospital, and access to staff trained at minimum time until reassessment: one to two weeks.

VIOLENCE RISK ASSESSMENT: Low

Pt demonstrated a calm, and relaxed demeanor. There were no dramatic fluctuations in mood or behavior. Pt was willing to follow directions, without verbal or physical aggression. Pt was engaging and forthcoming with information.

# Psychiatry Admission Assessment



Client Name: Barrett, Spencer Joseph      Client ID: 90061      Facility Chart Number: 100627  
 Episode: 2      Date of Birth: 4/18/1994      Assessment Date: 11/3/2022

**Preliminary Plan of Care (include plans for suicide/violence risk mitigation):**

Admit to AN2 under the care of Ms Lisa Bingham PMHNP for quarantine.

MEDICATION/INFORMED CONSENT: None signed at the moment. Patient said he will reconsider.

TREATMENT GROUPS: Pt to be oriented to the treatment unit and on-unit treatment options; Focus on groups and activities that contribute to reduction in symptoms. Pt's legal skills knowledge to be assessed, and Pt placed in appropriate group; pt will require introductory level skills prep

ENHANCED SUPERVISION/SAFETY PLAN: No indication at present for enhanced supervision.

MEDICAL/DENTAL ISSUES: Complete H&P will be performed and will obtain comprehensive labs. Attempt to measure weight/vitals. Standard vitals frequency.

ACUTE MEDICAL/DENTAL: No acute medical concerns identified at this assessment, will await medical H&P

CHRONIC MEDICAL: No chronic medical concerns identified at this assessment , will await medical H&P and follow up with labs.

DIET: Regular

DISCHARGE: Discharge to Lane County Jail at the end of jurisdiction or when able to aid and assist at the forensic evaluation.

**Justification**

Admission is necessary to provide treatment expected to improve patient's condition:

Yes

**Reason(s) Admission is Necessary:**

Provision of medically necessary and/or intensive services for diagnostic study  
 Medically necessary or intensive treatment to improve the patient's condition  
 Fitness to Proceed Forensic Commitment  
 Other Justification:

If Admission is not necessary, please explain:

**Discharge Plan**

Likely Discharge Placement:

Correctional Facility

Specific Discharge Placement:

Electronically Signed By: Jubril Adediran, PMHNP on 11/7/2022 at 12:17



Docs:

- 4) Proof of Hypothetical Reasoning Skills
- 2-5) Your Honor (1/12/23); p 42 "Supplemental Incident Report," p 12 "Confidential psychological evaluation" (by Isabelle Donsack-Kassian), "Psychiatry p 5 of 8 'psychiatry admission assessment'"
- 6) pp 1-2 Petition to enter plea of Guilty
- 7) Writ of Habeas; ORS 188.335 "admin. procedures; promulgation of rules" (1, 2a, 2a1, 2bA, 3b) = Const of Oregon; sections; 1-320, 2-7, 6 vs. 11, 10
- 8) writ of Habeas; Case No. 17CR47488
- 9) IDT team meeting (1/20/23) 1: "stems, triggers" 2: "Request new"
- 10) New grievance 12/12 lack of assistance w/ "consent" <sup>triggers</sup>
- 11) "Psychiatry Admission Assessment" statements (p. 1 of 7.044, 1-4)
- 12) clt is necessary... to make statements ("") (1/13/23)
- 13) "Hospital level of care" Rebuttal

## Proof of Hypothetical Reasoning Skills:

Hypothetically speaking even if I was driving under the influence of intoxicants (which in reality I was not) I would still persevere my innocence ~~with~~ with the following statement: I don't ever want to drive a car but am forced to in order to survive; I have to risk my life on the road and to intoxicating/deadly fumes everyday; just to get to my job, school or grocery store. Am I personally responsible for being born in such a poorly designed city? 100+ years ago I could have been just fide.

ALSO, my prior lawyer from Jackson County did not come to the same conclusions - I was able to plea. (8/8/22) Why is this ancient case causing so many problems? - This is obviously very corrupt (w/out even mentioning the errors involved in that case [extortion, deception, Judge version - "if it makes you feel better" ~ NO contest, - NO MIRANDA RIGHTS???)

Proof on page 5 of 8 "Psychiatry Admission Assessment" (assessment date: 11/3/2022 facility chart #: 100627)

(insight) Judgement: "Patient present a good judgement in hypothetical scenarios. When asked what he would do if he lost his wallet in a store, said he would go to the information center

The D.O.J. is Disorganized, Tangential and Delusional (w/ regards to communication transparency effective Peace Activator? Belief on Human Nature)



p12 tangential speech and cognitive disorganization impact  
 his ability to effectively and rationally communicate  
 w/ his attorney.  
 ③ delusional beliefs impact ability to understand  
 attorney's role and to trust attorney  
 OPINION (p12)  
 ① "significantly disorganized and tangential"  
 ② "delusional beliefs that were grandiose and persistent  
 only in nature"  
 1a) example of disorganized on p13 "disorganized behavior... inability to  
 keep from "preaching"  
 1b) example of tangential on p12 "It is unclear if he ~~became~~  
 returned the education as he became tangential and began talking  
 about the legal system "corrupt nature" (disorganized) <sup>diffusion</sup> <sup>account</sup> <sup>last</sup>  
 2a) ex; grandiose p9 "something great and uncovered by the  
 rest of society" (s. coming, model comp explain science and gospel, behaviorism  
 2a1) enlarged narcissistic beliefs related to his importance comparison  
 in society.. 2b) p9 - presenting delusion surrounding deputation

## Letter References

- Police Report ~2014
- Gazette Lines ~2014
- Court transcript 2022 (8/8 & 10/5)
- "Cruciver": 2022; 343, 344, 347, 350, 351
- Case #22-5002 (see Crivener 2022-347)
- ORS: 162.247, 163.160, 163.165-185, 163.193, 164.005, 164.015, 164.025, 164.075, 165.540, 169.076, 169.076: f, 133.455, 169.076: 10, 11, 14, 169.320, 147.438, 188.335, 4\*\*
- Constitution of Oregon: Sections: 1 & 20 (squaring), 6 (imperial)
- 2-7 (religion), 7 (conscience), 13 (unreasonable search), 16 (equal & unequal punishment), 20 (equal privileges) (clauses), 16 (proportionate penalty), 10 (no need for jury out purchase), 41:2 (develop inmate motivations) 11 vs. 6, 15 (Protection, society, personal respect, accountability) 93 (Habeas Corpus privilege), 24 (Oregon)
- Federal Habeas Corpus Practice & Procedure
- David Bell: 2 emergence of civil & the systematic distortion of information
- "David Bell's Seattle Statement & The Relief in Human Nature Effect on Peace Activity & History of Culture of War"
- SJ Bandt: Modern Slavery's Deep Roots of Unacknowledged
- Norman Chomsky: How the World Works: "American slavery"
- 2018 US Dep. of Labor "Slave goods"
- Declaration: slaveholders, Universal Human Rights, Culture of Peace
- Archim.org: www: SJB 171: Universal Death Complaint and (conscious culture magazine)
- YouTube: SJ Bandt:



# "Psychiatric Admission Statement"

Statement regarding information documents  
(Policy #7.014; c.14) By Patient Spencer Joseph Barrett

① 1 of 8 - chief complaint = I deny I ever said that I did I was speaking of what they were alleging. I would like audio evidence of this.

② 2 of 8 History of Present Illness: not objective or impartial  
"we attempted to flee" - ref. pg 800052 of supplemental incident report (incident: 15P18426053 crash-landing)  
③ 11/16/2015 12:51

③ per jail records: "hearing supplies and small containers of yellow liquid found in cell" per nurse reading note, "it was probably urine" - I was putting apple stems and seeds into small <sup>plastic</sup> containers to ~~show~~ simulate a "natural environment" I wanted the seeds to sprout and the stems changed the color of the water,

④ Challenges: "I got into an accident in 2018 while incarcerated and I was told I was unable to stand trial" ~ same as ① (chief complaint) audio evidence requested

⑤ 7 of 8 Diagnosis and Treatment were very limited as he thinks he can cure depressive symptoms w/ out medication

⑥ 2 of 8 "was in a physical altercation w/ a peer on 9/6/22" There is video evidence I was punched while reading the bible and I did not react except by going to the door to ask deputies for help - refer to case # 22-5062 submitted to DA's office for review (please to [unclear])



(11/13/23)  
filed w/  
opinion  
renew to  
# 23-2  
on 11/13/23

it is necessary for multiple reasons that I have  
access to my medical records and the ability to  
make statements regarding information documented  
(Policy 7.014; c. 1 Oregon State Hospital policies and  
procedures, Approved: Polona Mattarucci, Superintendent  
Date: November 8, 2018)

- in order to be as objective and impartial as possible  
it is necessary for any evaluators to state their  
own beliefs, beliefs, actions, history they may be  
susceptible to projecting onto the evaluated  
- it is unfair to ask for transparency when  
one is not willing to be fully transparent  
themselves (which I am ready and willing  
w/ reference to my own understanding of  
psychology's "conscious culture" context and  
• it is a fallacy for you, a total stranger,  
to project onto me motives and emotions you  
think are appropriate
- Protection of legal rights and ~~at~~ my right  
to discover <sup>studies,</sup>
- Refrained relevant ~~psychology~~ experiments: teacher  
self fulfilling prophecy, confirmation bias, stereotype  
threat, Gordon effect, Lucifer effect (Stanford prison  
experiment), ion being same in insane place (Rosenhan),  
 bystander interventions; diffusion of responsibility,  
learned helplessness, obedience to authority (Milgram),  
conformity (Asch Solomon Asch) - All evidence for <sup>psychological</sup>  
phenomena (open last 16 pages "references" of  
pdf "cc mag" on my public profile  
STB177 on archive.org)



[The need for]

Hospital level of Care (P<sup>13</sup> of psych evaluation)  
Rebuttal by S.T. Barnett  
19CR17970

• "Mr. Barnett has little insight into his mental illness and little insight into his need for psychiatric medications"

I am aware that the conditions of confinement can create many symptoms of mental disorder and these are many alternatives<sup>2</sup> to psychiatric medication, such as a change in environmental conditions, a change in social conditions and a change in psychological conditions (such as talk therapy, self narrative thoughts, feelings, and beliefs). Feeling safe and secure is essential to mental health

• "attend scheduled appointments"

evidenced by completion of CAA's domestic violence course, probation attendance and alcohol monitoring

• a history of violence when unstable  
video evidence<sup>4</sup> proves otherwise

medicine

1. refer to referenced ORS § grievance
2. non-invasive and holistic of Natural Plant medicine
3. Stage 2 on Marlow's pyramid of needs
4. punched in the face while reading the Bible, Mr. Barnett calmly went to the door and waited for Deputy Assistant - case # 22-5062 submitted to DA's office for review (STB denied to press answers)

New Evidence 12/12

Lack of assistance  
w/ meeting "concerns" triggered  
repts to 12th Requests

problem should be a "true  
onalance, not left long  
depression"

Continuous problem solving

NOT

Suppression, repression, "helpless" accept-

+ hypothesis

in regards to "personal problems" / "guilt" before

legitimizing  
supp  
not  
accept  
anew

and during confinement

2) collective problems exposed in

new paper article, music lyrics (cues for help)

Why get up for another let down (mp3 played during  
february; outside 9-10am, reminiscent of "Blink 182" genre)

by Times article (Dec 5/12, 2022; "My Inslee" 8

Questions p80) "explaining climate change"

c) questioning

1) a) identity "issue" - not being seen "invisible,"

if not believing people (for lack of ability to verify  
or prove their claims / stories / "facts")

1) a) i) solution: past work / record / proofs

solves: 1) c) questioning memories w/ out record

Why its necessary to question memories, the  
swords of the narrative conscience, manufacture  
using false memories using bits of info, distortion  
bias of others (propaganda & transference)

2) c) Positive media / solutions instead of constant berating

w/ Fear / Shock value (non local media)

ques w/ 1) a-c promote what others are doing and  
what you can do

1st round

Fear article's  
too much "about"  
"paradoxical" / "irrational"

(a) daily  
Statistics  
topic)

along w/  
up to 400

+



and persistence, endurance building,  
do not give up"-option was interesting

steps to discover, scientific methodology  
parallel- Addictive behavior / cycle of addiction  
Exit loop strategies

- Simplified DLY protocols for: Obtaining/  
actualizing / using your Civil Rights  
[The Legal System]  
#3 Benefit of doubt  
for those "Trapped" in this  
system, like me

(brought to IDT meeting 1/22/2023)

incomplete add #15 (1-5 from  
attacked person)

1)

A) Talk to your provider about your stress, trigger, and any problem you may have with sleep  
(Avatar: 98061, grievance: 2307, Date Received: 1-17-23)

- please refer to grievance 22-306 attached document: "New grievance 12/12 lack of assistance w/ receiving 'consent' trigger"

OR 5 169 076: 14: accid. legal materials

- count transcripts (8/8 & 10/15) [property]

- video of arrest on 7/30-'21 w/ [phone issue]

OR 5 164 005 - 095 (stolen property, extortion, deception)

OR 5 165 540 (communication intercept by public officials)

OR 5 169 076: 15 (personal property)

OR 5 133 455 (receipt signing)

B) "we are here to help you" ... "marriage being on the line" a grievance 22, 305, 23, 3, 4, 5, 7

Long...  
Land...  
word...  
...  
+ word  
+ word  
trigger

2) Exercise Right to Remain Silent

Request new IDT team

w/ reference to grievance review #23-2 emailed 1-17-23: Medical Records

It is necessary to make statements regarding information documented in evaluation [transparency] to state their own "preparing"

w/ reference to "Hospital level of care rebuttal"  
(2 - non invasive, holistic, natural)





2022



Interference w/ Peace Officer 162.247 p 499  
Driving under influence: Assault 163.165  
1990 163.160 p 516 To the value of human life  
163.193 ASSISTING another person to commit suicide - any substance or object that is capable of causing death

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FOR MEDICAL USE ONLY:  
DATE/TIME RECEIVED \_\_\_\_\_  
RECEIVED BY: \_\_\_\_\_

(Formulario de Solicitud de Servicios de Salud)

Post Deputy immediately! \*

Medical ☐Mental Health ☐Dental 

Print Name (Imprimer nombre):

Date of Birth ( )

начинено): 2011

ellipsa); \_\_\_\_\_

**Nature of problem of request (Naturaleza del problema o solicitud):**

—

I consent to be treated by health staff for the condition described. (Da su consentimiento para ser tratada por el personal de salud para la condición descrita.)

169,320:44414-14414T000 Date/Time

PATIENT SIGNATURE (Paciente Firma)

**\*\*PLACE THIS SLIP IN MEDICAL REQUEST BOX OR DESIGNATED AREA (Pon este artículo en la caja medica u otra area designada.)\*\***

DO NOT WRITE BELOW THIS AREA (No escriba debajo de esta area.) U.S. Section 10

(THE ARLA BELOW IS NOT TO BE USED FOR EDUCATION, COUNSELING, OR DOCUMENTING A CLINICAL ENCOUNTER)

Trigged by: (Nurse Signature): 14.7.23 Haines (Nurse) recorded in Federal Court Note  
 Date: 14.7.23 AM/PM (Circle one) 05.30 AM  
 Time: 05.30 AM  
 AM/PM (Circle one)  
 Victims of Crime and

Referred to: (Circle ONE) NSC Mid-level SC Physician SC MH Dental

Called Down at: \_\_\_\_\_ (for urgent issue)

Other: 169.076 Standards for Facilities for Personal Protection OES 133.455: 4111 Sha 11

CREATED 7/1/2015 CWH #291

On 9/15 - 10:00am  
#3. 9/1/12 stands for order of topics/constant as expected  
in phone call to Subcom. Consistent on with data.



Sell v. United States (539 U.S. 166, No. 02-5664) decided: June 16, 2003

Magistrate authorized forced administration of anti-psychotic drugs, finding that Sell was:

- m - medication was the only way to render him not dangerous
- m - any side effects could be ameliorated
- m - the benefit outweighed the risks
- m - drugs were substantially likely to return him to normal

District court found

- Magistrate's dangerousness finding clearly erroneous
- m - But - medication was the only viable hope

decided February 23, 2005

Johnson v. California 9th Cir (543 U.S. 499 NO. 03-636)

California Department of Corrections <sup>unwritten</sup> policy of racially segregating prisoners... it prevents violence.  
Johnson, filed this suit alleging:  
- Policy violates his 14<sup>th</sup> amendment right to equal protection

The court rejected the notion that separate can ever be equal - or "neutral" - in Brown v. Board of Education, 347 U.S. 483 and refuses to resurrect it today.

Alexander Belya v. "R.O.C.K." (45 F.4th 621, No. 21-1498)

Claimed Defamation, Defendants moved to dismiss based on the "Church autonomy Doctrine" arguing that plaintiffs' suit would impermissibly involve the church in matters of faith, doctrine and internal church governance.



"before we begin" admin procedure; promulgation of rules

E.3

Administrative Procedure Act (APA)

Search in "CRS"; 188.335 Notice; content; public

comment; temporary rule adoption; amendment or

suppression; substantial compliance required

1) prior to the adoption, amendment or repeal of any rule, the agency shall give notice of its intended action

2 (a) the notice required by subsection (1) must include (b) The agency shall include w/ its notice of intended action (A) a citation of the

statutory or other legal authority relied upon and bearing upon the promulgation of the rule 3(b) ... The publication shall be made in the

Newspaper of general circulation published

nearest to the geographical area.

9/10 petition for writ of habeas corpus - General Grounds

- state - cited above 1-2, + Oregon Section 1

(equality not inequality) 2-7 (based upon the agreed

definition of "Alien" and "variance") Action 6

conclusion of Action 11, and Section 10 - no court

shall be held, notice shall be administered openly and without purpose

Constitution of Oregon: Section 1 § 20 (equality) 2-7 (Alienism

and "variance") 6 vs 11 ("impartial") 10 ("secret", "openly") 10

without purchase" - decided to include first 2 limits

Haber Corpus submitted @ 3:20 pm 9/16/22



**ASHLAND POLICE DEPARTMENT PROPERTY FORM/RECEIPT**

CASE # 22-1595 CRIME/INCIDENT TYPE: 1CS/ASS / Wounds PAGE: 1 OF 1

CRIME LEVEL: MISD \_\_\_\_\_ FELONY \_\_\_\_\_ INFRACTION \_\_\_\_\_ NO CRIME \_\_\_\_\_ SEARCH WARRANT USED? YES \_\_\_\_\_ NO \_\_\_\_\_

HOLD # \_\_\_\_\_ DESTROY #        RTO #        SEND TO CRIME LAB # \_\_\_\_\_ COURT: CIRCUIT \_\_\_\_\_ MUNI        JDH \_\_\_\_\_

ITEM PLACED IN: LOCKER # \_\_\_\_\_ FREEZER \_\_\_\_\_ FRIDGE \_\_\_\_\_ OUTSIDE/BIN # A6

NAME: LAST Bertch FIRST Lawrence MIDDLE Wesley

ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP \_\_\_\_\_

DOB \_\_\_\_\_ PHONE # N/A JUVENILE? YES \_\_\_\_\_ NO X

INVOLVEMENT: SUSPECT / ARRESTEE X VICTIM        OWNER        FINDER       

PROPERTY CODES:	(E) – EVIDENCE	OR	(S) – SAFEKEEPING OR FOUND PROPERTY	EVID
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ITEM #	PROP CODE	WEIGHT	Description of Item	ROOM LOCATION	RECEIVED BY

1	5	Wanted/used Receipt w/ misc.
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[illegible][illegible][illegible]

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[illegible]

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[illegible]

THIS FORM SERVES AS YOUR RECEIPT. YOUR PROPERTY MUST BE PICKED UP WITHIN 30 DAYS OF YOUR RELEASE OR IT WILL BE DISPOSED OF IN

ACCORDANCE WITH THE LAW, YOUR PROPERTY IS BEING HELD AT THE ASHLAND POLICE DEPARTMENT.  
LOCATION AND CONTACT INFO: 1155 E. MAIN ST., ASHLAND, OREGON, 97520. PHONE NUMBER: 541-482-5211

Item #	Released to: (Signature)	Date	Initials	Return Date	Initial
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[illegible]

100

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[illegible][illegible][illegible]

Volina Pond	8-2-22
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Distribution:	WHI E-evidence submission	YELLOW-Attach to Item	PINK-Officer report	GOLDEN-Receipt
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1



BARRETT, SPENCER JOSEPH	04-18-1994	22418875
<b>Offender Name</b>	<b>DOB</b>	<b>SID</b>

Offender Name

DOB

SID

Court Case Number	DA Case Number

[illegible]

### Criminal History Classification

	A	B	C	D	E	F	G	H	I
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## Primary Offense Sentence

Prison:	GRIDBLOCK:	By Stip:	ORS
		Probation:	

### Secondary Offense Sentence

SECURITY OFFENSE SENTENCE	GRIDBLOCK:	By Strip:	ORS
Prison:		Probation:	